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The Solicitors' Journal.

LONDON, NOVEMBER 21, 1874.

CURRENT TOPICS.

THE LEGAL DEPARTMENTS COMMISSIONERS have just issued a report of unusual importance. We cannot do more this week than shortly sum up some of the recommendations it contains. The leading idea of the commissioners is the formation of a Central Masters' Department for the common law divisions of the High Court, which shall provide all the official and clerical power required for the administration of civil and criminal justice in London and on circuit. Into this department the commissioners would merge all the existing staffs and duties of the various common law courts, and they think that out of it all process of every kind, for the common law divisions at least, should issue. They would also merge in this department the Registry of Judgments and the Registry of Married Women's Acknowledgments. The duties of the officers should be interchangeable, and promotion be general throughout the department. The numbers and salaries of the officials to be placed on the permanent establishment of the new department, the commissioners suggest should be considered by a committee to be appointed by the Lord Chancellor and other Presidents of the Divisions, in communication with the Treasury, after six months' experience of the new procedure. Annexed to this department the commissioners recommend the construction of a Writ, Judgment, and General Record Office, common to the High Court and Court of Appeal, to which, as we understand the report, the duties of the offices of the Clerks of Records and Writs and Clerk of Enrolments should be transferred. The composition of the staff of this office is recommended to be left to the consideration of the committee above-mentioned. No collective opinion is offered as to the Chancery Registrars Office, but it is suggested that a sworn shorthand writer should be employed in court to take down judgments; that orders should be drawn by the winning solicitors, and some of the commissioners think that more orders might be drawn in chambers, and that the practice in respect of decrees for winding up companies might be made generally applicable to all matters disposed of in chambers. We shall return hereafter to the discussion of these important proposals.

THERE HAVE BEEN THIS YEAR only two registration appeals entered in the Court of Common Pleas, and these have both been disposed of in one day. One case dealt with the service of notices of objection in places where there is no regular delivery of letters, and therefore no "ordinary course" of post, a matter which may be of importance in Wales, and some parts of England, but is not of general interest. The other case (*Fox v. Dalby*) is an important one, for the point discussed is one which arises frequently in every revision court—viz., whether an occupation is "as servant" or "as tenant." This is obviously a question of fact rather than of law, but the tests by which such questions of fact should be decided may in a sense be considered to be questions of law, and whether fact or law, it is equally desirable that definite rules for

the guidance of revising barristers in deciding upon them should be laid down by the appeal court. The point was very fully discussed many years ago in the cases of *Hughes v. Overseers of Chatham* (5 M. & G. 54, 1 Lutw. 51), and *Dobson v. Jones* (5 M. & G. 112, 1 Lutw. 105), and in those cases some tests were given which are sufficiently intelligible in themselves, but somewhat difficult of application. In *Clarke v. Overseers of Bury St. Edmunds* (1 C. B. N. S. 23), the same question was again raised, and the former cases affirmed, but nothing fresh was added to the law. From that time to the present the point has not, so far as we are aware, been brought before the court of appeal.]

Perhaps the main importance of the recent case of *Fox v. Dalby* is that for the first time the decision of a revising barrister on the question has been reversed. In all the former cases the court, after discussing the rules which ought to be applied, and the facts of the particular cases, have always ended with the conclusion that the court could not see that the revising barrister was wrong. Thus what had been said by the judges became rather of the nature of *dicta* than binding decisions. Now that the court have seen their way to reversing the decision of a barrister who had found, upon the facts stated by him, that the occupation was "as tenant," it follows that the rules laid down by the court have become of binding authority. The case is fully in accordance with those which have been before decided; but it may be that it goes rather further than any previous case. It brings into prominence the fact that there is no tenancy, either if the residence of the claimant of the vote in the house in question is necessary or convenient for the performance of his duties and is required on that ground, or if it is required merely as a matter of obedience. Moreover the case will, if the facts found are considered, be seen to be an authority in a case of very frequent occurrence in which the rules previously laid down have been misapplied. It frequently happens that a large employer will wish one of the persons in his employ to live on or near his business premises, but will not care which of his servants does so. In such a case the particular servant who does live there may be able to prove that he individually is not required to live there. Frequently he may be able to prove an express permission by his master to go and live elsewhere if he chooses, and a right in that event to receive lodging money. In these cases it is always argued that as the servant is not required to reside he is a tenant. But this is a fallacy. The living in the house is an act of service notwithstanding that the master does not require it to be performed by the particular servant who takes it upon himself. In the recent case it was abundantly clear that although the particular sergeant of militia who claimed might have got permission to live elsewhere, yet the authorities would have insisted that some of the staff of sergeants should have lived in the houses appurtenant to the stores.

The difficulty in such cases, as we have already said, consists more in the application of the rules to particular facts than in laying down the rules. This arises from the circumstance that the terms of the employment are very seldom express upon the point whether or not the servant is required to reside. It is usually so clearly his interest to do so, that the parties do not contemplate his wishing to do otherwise, and therefore do not stipulate whether he may do so or not.

A CASE UNDER THE YORKSHIRE REGISTRY ACT (2 & 3 Anne, c. 4, s. 1) recently decided by the Court of Appeal in Chancery, and reported in this week's issue of the *Weekly Reporter* (*Credland v. Potter*), is deserving of careful consideration by all practitioners likely to have dealings with land in either of the two register counties, the words of the Middlesex Registry Act (7 Anne, c. 30) being, so far as this point is concerned, identical with those in the Yorkshire Act. The case, shortly stated, was as follows:—A

registered legal mortgage, a further advance by the first mortgagee secured by a memorandum which was not registered, a subsequent second mortgage which was registered. The court held, affirming the decision of Vice-Chancellor Bacon, that the second mortgage had priority over the unregistered further charge. The Act renders every unregistered "deed or conveyance" fraudulent and void against subsequent registered mortgagees or purchasers. The court held that there was no magic in the word "conveyance," anything that passed an interest, or a further interest, in the land being a conveyance. An ingenious contention was raised on behalf of the first mortgagees in this way:—The effect of the Act is only to postpone an unregistered charge, it does not invalidate it, and it exists for all purposes except for the purpose of claiming priority over a registered charge. Moreover, the mere registration of a deed is not notice, and in the present case the first mortgagee did not get actual notice until after the registration of the second mortgage; the true condition of things then was as follows:—a first mortgage, a second mortgage, and immediately following the registration of the latter, a subsequent equitable charge created in favour of the first mortgagee without notice by the first mortgagee of the intervening second mortgage; a state of things under which the first mortgagee is entitled to tack. This argument was met by the court by giving full effect to the words of the statute "fraudulent and void," under which they held that the further charge was to be considered void as against the second mortgagee for all purposes, and in fact as if it had no existence whatever.

A RATHER CURIOUS PIECE of contemporary history is given in a paper which will be found in another column. It seems that, in the opinion of the writer, the rapid advance in the price of coal has had a lamentable effect on the morals of the lessors of coal-mines in certain districts. Stimulated by a not unnatural desire to share in the gains of their lessees, they have cast about for a mode of applying the screw, and have found it in the clause prohibiting assignments of the lease without the license in writing of the lessor. "Until very recently," says Mr. Colborne, "upon the occasion of a sale of a mineral property requiring the lessee's license, unless there was some serious objection to the purchaser, the license was given as a matter of course upon payment of the costs of the lessor's solicitor, often not exceeding two to three guineas, and it was such a settled principle that the license should not be refused, that any objection to the introduction of the restraining clause in the lease would have been taken as a personal affront and insult to the lessor and his solicitor, and as implying a doubt of their honour, good faith, and integrity." The effect of the lust of gain on this state of things is said to be that in many districts it is fast settling down into a custom to make the granting of a license to assign a pretext for asking for the payment of a fine or for the increase of the royalties, and Mr. Colborne suggests that, as it was deemed necessary to protect by Act of Parliament the occupiers of land in Ireland, Parliament may see the propriety of protecting the interests of lessees of mineral property—that is, we take it, of regulating the sums to be paid for licenses. We fear the attempt would be hopeless. So long as lessees of mines are unwise enough to enter into express engagements not to assign or underlet without the consent of the lessor, so long will there be found lessors ready to take advantage of the fact that it is worth the lessees' while to pay for the power to transfer their leases. So long as the lessees' profits on the sale of their leases are so great as they are at present, so long will some lessors, by hook or by crook, contrive to secure a share of them. Most people, we think, will agree with the remark of Mr. Baron Bramwell in *Betts v. Burch* (4 H. & N. 506), with reference to another "little piece of paternal legislation," that "the best possible

thing would be to let people make agreements and keep to them, according to their words, until they are tired."

A QUESTION WAS RAISED AFRESH at the Leeds meeting which, it is to be hoped, will sooner or later obtain a satisfactory solution. Is there any sufficient reason for the separate existence of two great societies for the relief of necessitous solicitors and their families? The Law Association was instituted in 1817 to relieve the widows and families of attorneys, solicitors, and proctors in the metropolis and vicinity. The Solicitors' Benevolent Association was established in 1858 for the relief of poor and necessitous attorneys, solicitors, and proctors in England and Wales and their widows and families. Assuming a desire on the part of the directors of both societies to unite, we see no reason to suppose that any serious difficulty would arise in settling the terms of union and framing such rules as would protect the rights of all parties. It may be urged that each society, existing separately exercises a beneficial influence upon the other, and produces a healthy rivalry, which promotes the common cause, and that, moreover, many gentlemen subscribe to both who would not necessarily, after the amalgamation of the societies, give the amount of both their separate subscriptions to the united societies. On the other hand, it may be urged that one society, with one management, and one set of offices, could with greater economy and with equal efficiency carry out the common object of the two associations. It will be for the directors to weigh these considerations.

THERE SEEMS TO HAVE BEEN a good deal of misapprehension as to the effect of the decision of the Master of the Rolls in *Harvey v. Morris* (23 W. R. 21). An idea has arisen that the Clerks of Records and Writs are no longer empowered to receive deposits of deeds. This we need hardly say is an error. Deeds may be deposited with the Clerks of Records and Writs exactly as heretofore. The articles which may not be so deposited are specified in Order 9 of the Chancery Funds Orders, 1872, which says that "the Clerks of Records and Writs shall not receive into their custody effects of the suitors consisting of jewels or plate, or other articles of a like nature, or negotiable securities." These words plainly do not include deeds, but in a case of *Chapple v. Parr*, which came before Vice-Chancellor Bacon on Tuesday last, counsel, upon the assumption that the Clerks of Records and Writs could not receive a deposit of deeds, asked that some deeds should be deposited with the Incorporated Law Society. The attention of the judge was called to the Order in question, and the deeds were directed to be deposited in the usual manner with the Clerks of Records and Writs.

THE VACATION JUDGE IN CHANCERY and his staff have no sinecure. The applications made to the judge during the last Long Vacation amounted in all to 238, and on these 203 orders were granted, 470 orders were made in chambers, and the number of orders actually drawn up amounts to 591. In the Vacation of 1872, before the new system of weekly sittings in town had been inaugurated, 108 orders only were made by the judge and 214 were made in chambers. The difference shows the increased convenience afforded to suitors by the new arrangements.

It is stated that a bill with reference to the purification of rivers is under the consideration of the Government. A very generally accredited rumour ascribes to Lord Cairns the intention to bring in next session a bill to make compulsory the enfranchisement of copyholds.

Lord Cairns has ordered the offices of the county courts to be closed on the 26th and 28th of December.

THE REGISTRATION OF MORTGAGE DEEDS AS BILLS OF SALE.

It is probable that next session a renewed attempt will be made to legislate on the subject of the registration of mortgage deeds as bills of sale. We have from time to time referred to the subject in connection with the cases which have recently brought some of its aspects into prominence, but it may be worth while to take a short general view of the present state of the law on this head together with the alterations which have been proposed. Let us first of all enquire what mortgages which include fixtures are to be regarded as assurances of fixtures within the meaning of the Bills of Sale Act, so as to require registration.

It has been settled by a series of decisions, both at law and in equity, that where land is mortgaged in fee what are commonly called trade or tenants fixtures, whether attached to the land at the time of the mortgage or subsequently annexed by the freeholder, form part of the land, and pass to a mortgagee by a conveyance of the freehold. (See *Cullwick v. Swindell*, 15 W. R. 216, L. R. 3 Eq. 249; *Climie v. Wood*, L. R. 3 Ex. 257, 4 Ex. 328); that although a tenant for years might, as against his landlord, remove such fixtures when erected by him, yet a mortgagor in fee has no such right as against the mortgagee, and that, as the fixtures would pass without any separate assignment, the Bills of Sale Act does not apply. (*Mather v. Fraser*, 4 W. R. 387, 2 K. & J. 536; *Longbottom v. Berry*, L. R. 5 Q. B. 123; *Holland v. Hodgson*, 20 W. R. 990, L. R. 7 C. P. 328). Where there is a mortgage in fee, therefore, it is not necessary that the mortgage should be registered as a bill of sale in order to include tenants' fixtures in the security. This is also the case where the same limited interest in the land and in the fixtures is given by the mortgage deed to the mortgagee, so that the fixtures are enjoyed as part of the limited interest given in the land (*Ex parte Barclay*, *In re Joyce*, 22 W. R. 608, L. R. 9 Ch. 576).

If, however, the owner of a limited interest in land and an absolute interest in the fixtures conveys, by way of mortgage, not only his limited interest in the land and the right to enjoy the fixtures during the term, so long as they continue a part of the land, but also a right to sever the fixtures and dispose of them absolutely, then it is necessary that the mortgage deed should be registered as a bill of sale in order to include the fixtures in the security (*Hawtre v. Butlin*, 21 W. R. 633, L. R. 8 Q. B. 290; *Begbie v. Fenwick*, 19 W. R. 402, L. R. 8 Ch. 1075; *Ex parte Daglish*, *In re Wilde*, 21 W. R. 893, L. R. 8 Ch. 1072). And this is of course the case in whatever form such disposition may be effected by the deed, and it is immaterial whether the deed contains one witnessing part or two (*Ex parte Daglish*).

The rule to be gathered from the foregoing cases appears to be, that if by the mortgage deed the mortgagee takes only such an interest in the fixtures as he would have taken in them by the assurance of the land, considering the fixtures as appurtenant thereto, there is no necessity for registration of the deed. If, however, the mortgagee takes a greater interest in the fixtures than in the land, then the mortgage deed should be registered as a bill of sale. The practical effect is that the owner in fee of a mill with fixed machinery may confer on his mortgagee an absolute interest in the trade fixtures without the registration of the mortgage deed as a bill of sale, while the lessee of such a mill, without the registration of the mortgage deed, can only confer on his mortgagee an interest in the trade fixtures corresponding to that he has in the mill.

In considering the alterations which have been proposed in the law, it must be borne in mind that there are two questions to be solved. First, what shall be done with reference to mortgagees who, acting upon a widely prevalent but erroneous view of the law, have already taken mortgages of leasehold premises conferring upon them the power to sever and remove the fixtures?

"During the nineteen years which elapsed before a different rule was laid down by the Lord Justices in *Ex parte Daglish*," say the Manchester Chamber of Commerce, "as to factories, it is not surprising that lawyers assumed and advised that the same law of fixtures applied to mortgages of leasehold and freehold premises of that kind also. In reliance upon their mistaken, but entirely blameless, advice, an immense sum has been lent on such leasehold securities, especially in Lancashire, where so much of the land is held under leases for 99 and 999 years. And highly though the decision of the Lords Justices, in *Ex parte Daglish*, apart from the strong adherence they express to an opposite rule as to freeholders, has approved itself to traders in general, a decision so unexpected is seriously injurious to that class who are the honest holders of these leasehold securities, the value of which has thereby been reduced by fully a fifth." The measure introduced last session by the Lord Chancellor proposed (clause 4) to give twenty-one days from the 1st October for the grantee or holder of any bill of sale comprising trade machinery, and executed before the passing of the Act, to register the same. A bill which the Manchester Chamber of Commerce have announced their intention of laying before Parliament next session "declares all past mortgages, legal as well as equitable, of fixed machinery, along with leasehold or freehold premises, exempt from, and valid without, registration." The injustice of taking away from a mortgagee a security which he was led by the unsettled state of the law to believe might be granted by an unregistered deed, is obvious; and there will probably be but little dispute as to the mode of dealing with this branch of the subject.

A more debatable question is what shall be done as to future instruments comprising trade machinery? Upon this point the Bills introduced last session gave a very uncertain sound. The measure brought in by the Lord Chancellor proposed to enact that "trade machinery shall be deemed to be personal chattels, within the meaning of the Bills of Sale Act, 1854; and when any instrument comprising trade machinery, and being a bill of sale within the meaning of such last-mentioned Act, is registered under the said Act, the trade machinery comprised in such bill of sale shall be deemed to be taken out of the order, disposition, and reputed ownership of the person who has given such bill of sale for all purposes of bankruptcy, liquidation by arrangement, or composition with creditors." The interpretation clause (s. 9) defined trade machinery to mean the machinery used in or attached to any factory or workshop; exclusive of the fixed motive powers, e.g., waterwheels, steam engines, boilers, &c., and of the fixed power machinery, such as the shafts which transmit the action of the motive powers, and of the pipes for steam, gas, and water in the factory or workshop. The same section provided that this latter machinery shall not be deemed to be personal chattels within the meaning of the Bills of Sale Act. It is not easy to understand what advantage would be gained by these changes, for trade machinery, as defined by this Bill, is already personal chattels within the meaning of the Bills of Sale Act, 1854; either as being fixtures, or moveable chattels, both of which are included in the term personal chattels as used in the Bills of Sale Act, 1854. The question as to whether a mortgage which includes trade machinery in the security is an assurance of personal chattels within the meaning of the Bills of Sale Act, 1854, is not touched upon, and the law upon this point would apparently be left as it now stands. The only alteration in the law would be that the three exceptions mentioned in the 9th clause of the bill, namely (1), fixed motive power (2), fixed power machinery, and (3), pipes for steam, gas, and water, would be excluded from the term personal chattels.

The Bills of Sale Amendment Bill, introduced last session by Mr. Lopes, proposed to enact (clause 3) that "when any mortgage of, or security or charge on, any

personal chattels is hereafter effected without a bill of sale, and the same is of such a character as that it might have been effected by means of a bill of sale, the said mortgage, security, or charge shall, unless the requirements hereinafter specified [i.e., filing a statement of particulars] are complied with," be bad as if it were an unregistered bill of sale. We pointed out at the time (18 S. J. 545) that the effect of the words in italics, combined with the definition of "bill of sale" in clause 1 of the bill, would be to leave the law exactly as it stood before.

The Manchester Chamber of Commerce have announced that they propose by a bill which is to be laid before Parliament next session to enact that "no future bill of sale of machinery, or future mortgage of premises comprising fixed machinery, shall be valid, as to the machinery, without registration, whatever may be the tenure of the premises or land to which the machinery is affixed. Exception is made as regards the power machinery, inclusive of engines, boilers, shafts, pipes for steam, gas, or water, and other appurtenances specified in the bill as part of the premises mortgaged, 'unless it be otherwise expressed in the deed.' No mortgage is to be liable to registration by reason of its comprising those things, whatever the tenure of the premises." This would, at all events, simplify the law, and make it more intelligible to the layman. The Manchester Law Society have, we believe, given their support to the proposal, and we hope that other law societies in the great centres of commerce will be prepared to offer a decided opinion when the matter is brought before Parliament.

RECENT CASES AFFECTING SOLICITORS.

III.

THE case of *Burch v. Reid*, although decided so long ago as July, 1873, ought perhaps to be noticed in this place, inasmuch as it appears in the January number of the *Law Reports* (4 A. & E. 112). As a case of some interest to the profession it was commented on by us at the time (17 S. J. 741), and fully reported soon afterwards (17 S. J. 767). The short point decided in the case was that a solicitor cannot enter an appearance for a defendant to a suit in the Court of Arches, every party to such a suit being required to appear in person or by a proctor. The real question before the court was whether it had power to make a rule that solicitors should be at liberty to practise before it. This question the learned dean answered in the negative. It may, perhaps, be thought that such a power is inherent in the court, as being one of the superior courts, and that the fact that, *unless duly authorised*, a solicitor practising in the court would be liable to penalties under statutory enactments in that behalf is hardly a reason why the court when asked to authorise them should say that it has no power to do so. This fact, however, seems to be the main ground on which the dean founded his judgment, and the means by which he parried the argument that long ago barristers made good their right, which they still retain, to practise in the court, although no Act was ever passed for the purpose of enabling them to do so. The present state of things with reference to ecclesiastical proceedings is rather curious in this respect, that solicitors may practise in the Consistorial Courts in the country, and also in the Privy Council, while in the intermediate court a party cannot appear by the person whom he may have employed to conduct his suit before the lower court, and whose services he may be desirous to retain before the final court of appeal. The attention of the Legislature may well be called to this inconvenient state of things, and the provision in the Public Worship Act allowing attorneys and solicitors to practise in the new court ought to be extended to the provincial courts.

A practice had grown up in the Admiralty Court with respect to costs, whereby persons who were neither proctors, attorneys, nor solicitors, in reality managed to conduct suits and be paid for them in the same manner as

if they were qualified practitioners. The case of *The City of Brussels* (22 W. R. 71, L. R. 4 A. & E. 194), by which, we may hope, an end was put to the practice, furnishes a good illustration of how this kind of thing was done. In that case a notary in Liverpool, who was neither a proctor, an attorney, nor a solicitor, obtained the authority of a number of seamen to institute a cause of salvage against a ship. The plaintiffs were, of course, represented in the suit by a duly-qualified person, viz., a proctor, but the notary at Liverpool was in constant personal communication with them, and, throughout the proceedings, did a great quantity of work usually done by solicitors. The plaintiffs succeeded in the suit, and the defendants, the owners of the ship, were ordered to pay the costs. For the purposes of taxation the plaintiffs' proctor brought in two bills, one for his own charges, and the other for the notary's, the latter being endorsed "plaintiffs' outport charges." These charges amounted altogether to about £87, but on taxation were reduced to £39. This reduction appears to have been made chiefly by disallowing all charges for acts done by the notary before the proctor appeared as conducting the cause; and as the case made by the proctor in defence of the notary's charges was that the notary was *pro hac vice* acting as his clerk, it is pretty clear that whatever was done by the notary before the proctor took up the suit must be disallowed. Among the charges left standing after taxation were such items as the following:—"Drawing brief for the examination of defendants' witnesses, £2; two fair copies for counsel, £1 6s. 8d.; attending twelve of plaintiffs, taking instructions for affidavit, £1 1s.; drawing same, £3 8s.; drawing brief for the hearing, £7 10s., &c. On an application to the court on behalf of the defendants, that the outport charges and such portion of the town bill as related to the work done at the outport might be disallowed, Sir R. Phillimore agreed with the applicants that all the items similar to the specimens we have given did, on the face of them, violate the general policy of the law, which discountenances unqualified practitioners, and the several statutes enforcing that policy. The learned judge traced the origin of the custom of handing in two bills. This custom, he thought, was now objectionable, and he ordered it to be discontinued for the future. At the same time, the necessity of employing agents of some kind at the outports is sufficiently obvious; and his lordship held that they might act as clerks *pro hac vice* of the proctor, and be remunerated on that ground, and he gave as an illustration of his meaning a case in which the expenses of an agent employed to see foreign witnesses and interpret what they said, were allowed by the court. In the case before him he allowed a general charge of £10 10s. for agency. It will of course be understood that in all these cases it was the proctor who claimed payment of both bills, and that the non-professional agent looked to him solely for payment of "the outport charges." Henceforth, as we have seen, there will be only one bill; and if the proctor employs a non-professional agent at the outport the labour of such agent charged for in the bill must not be work which can only be properly done by a duly qualified practitioner. In the recent case the facts showed, as was well said by the counsel for the defendants, that the notary at Liverpool had the management of the cause, and that the proctor was acting very much as a London agent acts for a solicitor in the country.

In the case of *The Queen v. The Local Government Board* (22 W. R. 315, L. R. 9 Q. B. 148), the board of trustees of the parish of Islington, a body which, under a local Act, had the management of the relief of the poor of the parish, passed a resolution in February, 1857, to the effect that after a certain date the business of the board should be conducted by one clerk at a specified salary, "with the aid of a solicitor for the arrangement of legal matters at £100 per annum, and that the office of solicitor be offered to Mr. Sparling." In 1867 under the Metropolitan Poor Act of that year (30 Vict. c. 6) the

relief of the poor of the parish was transferred to a board of guardians. By section 74 of that Act it was provided that "in case any officer of a union or a parish shall be deprived of his office by reason of the operation of this Act, the Poor Law Board may award to him such compensation for the loss of his office and its emoluments, either by way of gross sum or by way of annuity, as to them shall seem reasonable." At their first meeting the guardians continued the appointment of Mr. Sparling, but the Poor Law Board refused to sanction this proceeding, as it was not authorised by the regulations to which the guardians were made subject by virtue of the Act. Mr. Sparling's appointment was thereupon determined. He made a claim for compensation, and it was this claim which now came before the court. The judges being of opinion that he was deprived of his employment "by reason of the operation of the Act," the question was whether he held "an office" within the meaning of the Act. The Court held that he did not, strictly speaking, hold any "office," but they declined to construe the word "office," as used in the Act, in its strict legal meaning, saying that, if they did so, they should render the Act almost nugatory, as they doubted very much whether there was any person employed for any purpose connected with the relief of the poor under a local Act whose employment could be called an "office" in the strict legal sense. For this and other reasons they held Mr. Sparling entitled to compensation, though they expressed no opinion as to what should be its amount. Their lordships, in the course of their judgment, remarked that they thought "a solicitor employed to transact the legal poor law business of a parish, was a person employed in carrying the Acts for the relief of the poor into operation," and that "it might not unreasonably be said that a solicitor employed at a fixed salary to do this was very much *ejusdem generis* with a medical man who received a fixed salary for attending the sick poor," such a medical man, as they pointed out, being mentioned in the Act as an "officer."

By section 50 of the Common Law Procedure Act, 1854, the court or judge, on an application for the discovery of documents, may order that the party against whom such application is made, "or if such party is a body corporate, that some officer to be named of such body corporate" shall make an affidavit as to documents. In *Brown v. The Thames and Mersey Insurance Company* (43 L. J. C. P. 112), Martin, B., had made an order under this section directing Mr. Hollams, the attorney for the defendants on the record, to make an affidavit of documents; but the Court of Common Pleas rescinded the order on the ground that the attorney of a corporation is not an officer within the meaning of the section.

The Chief Judge in Bankruptcy has announced his intention of sitting on Thursday next instead of Monday as usual.

It may not be inappropriate, says the *Albany Law Journal*, for the legal profession to remember that William Cullen Bryant, who completed the eightieth year of his life on the 3rd inst., is not only a distinguished poet and journalist, but an ex-legal practitioner. In the case of *Bloss v. Tobey*, 2 Pick. 320, decided in 1824, the author of "Thanatopsis" was the counsel for the plaintiff. Whatever may have been the causes which led Mr. Bryant to leave the legal profession, we do not think he regards it as any thing but an honourable and noble one, and one which comprises men of transcendent ability and power. But Mr. Bryant's success is certainly not a source of envy to any right-minded lawyer. The world and the legal profession are to be congratulated in that Mr. Bryant found his forte, and has produced some of the finest poetry of the present age, and translated into his native language the grandest poem of antiquity. Whether he would have made as good a lawyer as he has made a poet and journalist is not now for us to inquire. The profession join with the public in congratulating the great poet.

Recent Decisions.

EQUITY.

DONATIO MORTIS CAUSA.

Moore v. Moore, V.C.H., 22 W. R. 729.

Lord Eldon remarked, in *Duffield v. Elwes* (1 Bligh, N.S., at p. 533), that "improvements in the law, or some things which have been considered improvements, have been lately proposed; and if among those things called improvements this *donatio mortis causa* was struck out of our law altogether, it would be quite as well." No one who considers the amount of litigation which has taken place in settling the essentials of these gifts will be inclined to disagree with this opinion. One of the most frequently debated points has been that of the delivery requisite to constitute the gift. When once the rule that there must be an actual handing over of the subject of the gift was departed from, so as to allow of a *donatio* being made of things which did not admit of corporeal delivery, the door was opened to all kinds of questions. It seems very early to have been held that the delivery of the key of a trunk (*Jones v. Selby*, Prec. Ch. 300) would be a sufficient delivery of the contents of the trunk, a view recognised by Lord Kenyon in *Hawkins v. Blewitt* (2 Esp. 663); and in *Smith v. Smith* (2 Stra. 955) it was held that delivering the key of rooms constituted a delivery of the goods in such rooms. The principle of these cases was explained by Lord Hardwicke (*Ward v. Turner*, 2 Ves. 431) to be, that the delivery of the key was "the way of coming at the possession of the thing," and he declined to extend the rule to the delivery of a mere symbol, such as, in his opinion, receipts for South Sea Annuities were. The result of this decision was that either the actual possession, or the means of coming at the possession, must be delivered. Subsequently to this case, however, the principle on which courts of equity support *donationes mortis causa* was laid down by Lord Eldon in the case of *Duffield v. Elwes* (1 Bligh, N. S. 497). That principle is, not that the legal possession must be passed, but that an interest must be so vested in the donee as to give him a right to call on a court of equity to compel the heir or representative of the donor to carry into effect the intention manifested by the person he represents. Will the delivery create a trust for the donee, not will it vest the property in him? is the question to be asked in order to ascertain whether a *donatio mortis causa* has been constituted. Mr. Story accordingly has expressed a doubt (1 Equity, 642, 11th ed.) whether, on principle, the doctrine of *Ward v. Turner* can now be supported, and in point of fact the decisions have been gradually departing from that doctrine. But in *Moore v. Moore*, Hall, V.C., decided, on the authority of *Ward v. Turner*, that a *donatio mortis causa* cannot be made of railway stock by delivery of the scrip certificates, although, following with reluctance the decisions of Lord Romilly in *Amis v. Witt* (9 W. R. 691) and *Veal v. Veal* (8 W. R. 2), he so far departed from the old principle as to hold that the delivery of the deposit note of a banker was sufficient to constitute a *donatio mortis causa*, notwithstanding that, as appears from the report, possession of the money secured thereby could not be obtained without the concurrence of the testator's executors. The decision of a court of appeal is urgently needed to settle the law on this subject.

COMMON LAW.

PUBLIC BODY—NEGLIGENCE.

Hammond v. St. Pancras Vestry, C.P., 22 W. R. 826, L. R. 9 C. P. 316.

If it is once established that an absolute duty is imposed, whether on an individual or a public body, to do a thing, there can be no doubt that an action lies against

them for damage caused by reason of the thing not being done; of this *Ohrby v. Ryde Local Board* (12 W. R. 1079, 5 B. & S. 743), *Hartnall v. Ryde Commissioners* (11 W. R. 963, 4 B. & S. 361), *Wilson v. Mayor of Halifax* (16 W. R. 707, L. R. 3 Ex. 114), and *Southampton and Itchin Bridge v. Southampton Local Board* (8 E. & B. 803) are instances. But whether a statute imposes an absolute duty to do the thing, or only a duty to take reasonable care that it is done, may be a matter of doubt. In the present case the Court of Common Pleas has determined that the duty imposed on metropolitan vestries and district boards by 18 & 19 Vict. c. 120, s. 72, of causing the sewers under their control "to be properly cleared, cleansed, and emptied," is only a duty of the latter kind, and that unless there is an absence of reasonable care (which the jury negatived) they are not liable for the consequences of a stoppage. The decision, however, is of wider operation than this; for the principle on which it proceeds is, that where a duty is imposed by statute on a public body, the statute will not be construed as creating an absolute duty, unless that meaning is very clearly expressed. The effect is that in such a case as the present the duty does not exceed that which would exist at common law. The principle appears not unreasonable; but we may observe that in the particular case the result is somewhat strange; for the sewer where the stoppage took place was one which the defendants ought to have known the existence of, but did not, and it is not unreasonable to suppose that if they had known it, they would have taken those measures which would have prevented the mischief, but which their negligent ignorance prevented them from taking.

EASEMENT—WAY.

Clifford v. Hoare, C.P., 22 W. R. 828, L. R. 9 C. P. 362.

A. conveys land to B. to build a house upon, and covenants to lay out a road of forty feet wide (part to be laid out, according to the annexed plan, as a footway, part as a carriage-way, and part as a garden), and also grants to A. the right to erect a portico extending over a part of the proposed road. He afterwards grants to C. another piece of land adjoining the intended road, and grants him a right of way over the "roads or intended roads and ways which or the intended directions of which are respectively delineated on the said plan," and covenants for title and against incumbrances. C. then says that A. has broken this covenant by his previous grant to B. of a right to make the portico over the road, whereby the road was not forty feet clear. It does not appear that the width of the intended road was mentioned in C.'s plan, or that it could be got at otherwise than by reference to B.'s plan, which, taken with the conveyance to which it was annexed, qualified it in the way above described. And if C. was entitled to complain of the portico, he could equally complain of the garden. The contention, therefore, seems peculiarly groundless. We prefer, however, to regard the case as decided (as the court, in fact, treated it) on the general principle, that where merely an easement, and not a road, is granted, all that the grantee is entitled to is a reasonable use of the road, or more properly, perhaps, the use of a reasonable road. And *Harding v. Wilson* (2 B. & C. 96) appears to be even a stronger instance than the present one of the application of that principle.

It is stated that Sir William Vernon Harcourt, Q.C., has accepted a retainer and will appear on behalf of Dr. Kenealy at the enquiry to be instituted by the Benchers of Gray's Inn on the 26th inst.

At a recent meeting of the Leicester Town Council a vote of thanks was passed to Mr. John Storey, the acting town clerk, for the efficient manner in which he conducted the recent municipal elections in the borough.

Reviews.

A NEW LEGAL MAGAZINE.

THE LAW. A Monthly Magazine of Legal Matters for the Profession and the Public. Edited by F. G. M. WETHERFIELD, of Lincoln's Inn, Esq., Barrister-at-law. Vol. I. No. 1. November, 1874. London: Lockwood & Co.

We have too long delayed noticing the birth of this interesting little stranger, which has just come to jostle its way among the full-grown legal magazines and newspapers. Better late, however, than never; and we now cordially welcome it amongst us, and beg to express the friendly hope that it will outlive the rather perilous ailments of infancy, and grow up to be a credit to its parents and a comfort to the profession and the public, which it has thus early taken under its protection.

The first number of *The Law* contains articles on the following subjects:—I. The Effect of the Judicature Act. II. The Future of the County Courts. III. The Registration of Bills of Sale. IV. The Mayor's Court, London. V. The Law as a Monopoly; Legal Notes, and it concludes with Reviews and a Supplement of Useful Statutes. For reasons which will be obvious when we come to make a few remarks on the first article—viz., that on the effect of the Judicature Act,—it will be safer for us to begin at the end of the number. "The useful statutes" are the following Acts of last session—viz., those passed to amend (1) the Married Women's Property Act, 1870, and (2) the Law as to Infants' Contracts, and (3) The Law relating to Attorneys and Solicitors. These Acts are not annotated; but the two former are noticed, very inadequately however, in the "Legal Notes." The "Reviews" are, perhaps, the poorest things of the kind we have ever seen; nor can we speak much more favourably of the "Legal Notes." The article on Law as a Monopoly urges the profession in its own interest to resist all encroachments by trade societies, accountants, &c., but concludes (rather illogically, perhaps), by saying (p. 51), "It is well known that people who do their own law, or have it done for them by ignorant outsiders, really increase the work for the lawyers to do. To stop this practice would, at all events, be a public gain; though, perhaps, not so to the profession." Lack of space compels us to pass over articles IV., III., and II., though with respect to III. we must observe that the writer will find, on further enquiry, that the "different rule applied to mortgages of fixtures on freeholds" (p. 27) dates rather further back than the case of *Ex parte Daglish*.

We come now to the first article, about which it is not too much to say, that if we had begun with it we could not possibly have got beyond it. *The Law* on the effect of the Judicature Act positively amazes us. We can look upon it only in the light of a prophecy; and we advise our readers to do, what we shall certainly do ourselves—viz., keep it by us and read it, say a year or two after the Act has come into operation, and again a year or two after the new Law Courts have been opened. We must content ourselves here with a brief summary of these rapt glances into futurity. Equity is going to "weave all the doctrines of the common law into its own pattern" (p. 4). After a struggle between the members of the common law and equity bars, in which at first the equity men are to get the best of it, there will be a fusion of the two divisions (p. 6). But this is not all. The bar is to be decentralised, and then both branches of the profession, barristers and solicitors, are to be amalgamated (p. 6); senior barristers will remain in London; juniors will go into the country (p. 7). Long pleadings will be nearly impossible under the new system, "for it is provided" that all statements shall be as brief as the nature of the case will permit (p. 7). Advocates with powers of oratory, but little knowledge of law, will become extinct

(p. 8). Specialists will be the rule, not the exception (p. 9). The result of the coming conflict between counsel and solicitors in the county courts will be that careful parents will make their sons attorneys, not barristers (p. 9). (By the way, as to the amalgamation?) London agency houses will suffer and London solicitors will migrate into the country (p. 11). The expenses of actions are to be increased, yet the effect of the change will be to make outsiders drop their prejudices against the law and lawyers (pp. 11 and 12). We are almost tired of breasting the waves of the future, but we will take two heavy plunges before we come back to the *terra firma* of this present year of grace 1874. The aspect of the New Law Courts, when completed, will bring home so vividly to the minds of the public the unity and simplicity of our law, that the result will be a code "as near perfection as any ever before constructed" (p. 14). Again, the passing of the Judicature Act will bring a time when every man will know the law. This will, indeed, be a very easy matter, for "there are books now to be had which make many subjects simple enough, and when the curious system of relying partly on cases, partly on statutes, partly on judicial sayings, and partly on the old common law, to say nothing of equity, is once grasped, any man of average intelligence could soon master a large portion of the laws of his country" (p. 14). *The Law*, very wisely we think, does not tie itself to time in its prophecies, but we gather that all these changes will be complete before, let us say, Dr. Cumming's next millennium is upon us.

Thus warned we shall not, of course, be taken by surprise by any of these changes. And yet we own that had it not been for the warning we should have been surprised; for we were rather inclined to be led astray by the old-fashioned notion that, after all, there is a good deal of the *vis inertiae* about English men and English law and lawyers, and that it is hardly a national characteristic to accept readily wide and sweeping changes and carry them out to the full logical extent. In saying this, however, we do not mean to admit that the state of things sketched by *The Law* is the logical result either of the Judicature Act, or even of what seems to our contemporary, if anything, rather a more important matter, the building of the New Law Courts.

SOME ACTS OF LAST SESSION.

THE REAL PROPERTY ACTS, 1874 (37 & 38 Vict. cc. 33, 36, 37, 57, and 78), with Explanatory Notes. By WILLIAM THOMAS CHARLEY, D.C.L. (Oxon), M.P., Barrister-at-Law. H. Sweet. 1874.

Mr. Charley's idea, at all events, is novel. He gives in the notes to the statutes a sketch of the causes which led to their enactment; traces the various modifications they underwent during their progress through Parliament, and quotes from the views expressed by their authors. He also encloses in his amber many of the criticisms made by the legal press, which, as he remarks, "furnish the best, and indeed the only possible means of supplying the want occasioned by the total and, for the present, at least, unavoidable absence of legal decisions on the construction of the new Acts." We, at any rate, can hardly be expected to controvert this proposition.

The Acts included in this book are the Leases and Sales of Settled Estates Amendment Act; the Personation Act (is this a Real Property Act?); the Powers Law Amendment Act, the Real Property Limitation Act, and the Vendors and Purchasers Act. As to the second of these measures, Mr. Charley has been favoured by the draftsman with an explanation of the words in section 1 which have caused some bewilderment to the profession. It appears that the words "or the heir, executor, or administrator, wife, widow, &c., of any person", were inserted to meet the case of an individual assuming one of these characters, 'where there

never was an existing person corresponding with the character assumed.' The individual in the case supposed, might pretend that a will was duly executed, and that he was the executor, when, in reality, no will had been executed and no executor appointed. The judges, it was thought, in the absence of some such words, might have held that there never having been any real person answering to the character assumed, the offence of personation could not be made out." On the Limitation Act Mr. Charley is much exercised with the remarks we made a few weeks ago on the very distant period fixed for its commencement. He sets himself with much energy to prove the wisdom of the arrangement, but we cannot congratulate him on his success. He says that the long interval will enable Englishmen, in all parts of the world, to become acquainted with the change in the law; Englishmen all over the world being, of course, very much in the habit of studying Acts not yet in force. The chief object of the new measure, however, it appears, is "to prepare the way" for the compulsory registration of title; but we do not find any reason given why the Act would not have had this effect if it had been made to commence one year, instead of more than four years, after its passing. We naturally turn with interest to the Vendors and Purchasers Act, with reference to which Lincoln's Inn has been in a ferment since the end of the Vacation. Upon section 7 we find that Mr. Charley adopts the view we ventured to suggest, and which is held by many eminent conveyancers, that the effect of the words, if naturally construed, is to sweep away the protection of the legal estate.

Mr. Charley disclaims any originality for his work, and his notes consist chiefly of extracts, but they furnish explanations of the provisions of the new Acts which may be found useful by practitioners. He ought, however, to be a little more careful about his references, especially when (at p. 68, note) he notices a trivial printer's error in a quotation. He quotes on p. 99, and again on p. 110, from vol. 23 of the *Solicitors' Journal*, and on the latter page his prophetic faculties have actually enabled him to foresee what will be in vol. 29 of this journal, which, it appears, from the dates subjoined, was issued within a month after the appearance of vol. 23.

A correspondent sends the *Times* as illustrative of the recent decision in the Epping Forest case, the accompanying extract from Hall's "Chronicle." "Before this time the towns about London, as Islington, Hoxton, Shore-ditch, and others, had so enclosed the common fields with hedges and ditches that neither the young men of the City might shoot nor the ancient persons might walk for their pleasure in the fields, except either their bows and arrows were broken or taken away, or the honest and substantial persons arrested or indicted, saying that no Londoner should go out of the City but in the highways. This saying sore grieved the Londoners, and suddenly this year (6 Henry VIII.) a great number of the City assembled themselves on a morning, and a turner in a fool's coat came crying through the City, 'Shovels and spades,' and so many people followed that it was a wonder; and within a short space all the hedges about the towns were cast down and the ditches filled, and everything made plain, the workmen were so diligent. The King's Council hearing of this assembly came to the Grey Friars and sent for the Mayor and Council of the City to know the cause, which declared to them the nuisance done to the citizens, and their commodities and liberties taken from them, though they would not, yet the commonalty and young persons which were damaged by the nuisance would pluck up and remedy the same. And when the King's Council had heard the answer they dissuaded the matter, and commanded the Mayor to see that no other thing was attempted, and to call home the citizens, which when they had done, their enterprise came home before the King's Council, and the Mayor departed without any more harm doing, and so after the fields were never hedged.—Hall's Chron.: Ed. 1809, p. 563."

General Correspondence.

A QUERY.

[To the Editor of the Solicitors' Journal.]

Sir,—Will some of your learned subscribers give me their opinions on the following case.

A. owes B. £100, to recover which B. issues a debtor's summons. Before the hearing, A. pays B. £30 on account and promises to pay the balance by instalments. A. fails to carry out this promise, and B. files a petition for adjudication, the act of bankruptcy alleged being the non-satisfaction of the debtor's summons. On the hearing of the petition, the debtor contends that as the debt set forth in the summons did not exist at the time of the filing of the petition the act of bankruptcy founded on the summons could not be relied on. The creditor contends that so long as the balance of the debt was above £50 he was at liberty to use the alleged act of bankruptcy.

Which is right, and are there any reported decisions?

B.

LIQUIDATION MEETINGS.

[To the Editor of the Solicitors' Journal.]

Sir,—I noticed in a daily paper on Tuesday last, a letter calling attention to the abuses arising out of the system which at present prevails in regard to meetings of creditors convened by the debtor for the liquidation of his affairs.

There is no doubt a great deal of truth in what is stated by the writer of the letter in question. Very often these meetings become most disorderly, and many irregularities consequently creep in. Much injustice is frequently suffered by the honest creditor, and the debtor, who is naturally most interested in bringing the proceedings to a successful conclusion, aided by an active solicitor, and by a still more active accountant, who thoroughly understands his work, and supported by friendly creditors, some of whom are not seldom relatives, escapes from his liabilities, however rashly they may have been incurred, and however strongly his conduct deserves condemnation, and, it may be, punishment.

Moreover, the conduct of the chief actors at these meetings is sometimes very reprehensible, and the squabbles which ensue between them are most unseemly. Instead of the question being what is best to be done to realise the estate to the greatest advantage, it very often is who is to have the management of the estate and who is to be appointed trustee. There is probably as much skill manifested in manipulating these meetings as is shown in the formation of some of those bubble companies which are no sooner started than they have to be wound up.

On one occasion I had professionally to attend one of these meetings. The case was a scandalous one. The debtor was apparently in a good position, but always had been, and always would be, in difficulties. His liabilities were from £15,000 to £20,000. He had no estate. Furniture and everything was settled, or supposed to be so. The meeting was held in a small room, on an inconvenient day, and at an unsuitable hour. Business commenced punctually to the moment. A city accountant of some reputation, and with an air of studied impartiality, but who had evidently been fully instructed, if he did not intuitively know what he was to do, was appointed to take the chair. On entering the room, I at once observed how things were likely to go. It was packed with the debtor's friends, and they and he were armed with a large number of proxies, obtained, no doubt, under varying circumstances. The chairman, assuming that the time of the gentlemen present was too valuable to be occupied at much length, made a short and ingenious statement, and concluded by announcing that the debtor proposed a composition of 1s. in the pound without security, payable in some six or seven months. It was, of course, urged by some one that that was better than nothing, and when I attempted to address the meeting I was neither politely received, nor was I allowed to say much. I, however, intimated that the case was pre-eminently one for bankruptcy, and in that I was seconded by the only other honest creditor present who was at all capable of taking any part in the

meeting. Upon my making this announcement, it was at once determined, without further discussion, to take the sense of the meeting, and I, of course, found myself ignominiously defeated, and, amid some cheers and congratulations, it was resolved by an immense majority to accept the debtor's offer.

My client was a cash creditor for a considerable sum, and having discussed the difficulties and expense of opposing the registration of the resolution, it was found he had no alternative but to abide by the determination of the meeting. So he was forced to accept some hundreds of shillings in lieu of as many pounds.

Probably the spics at your disposal will not admit of my addressing you now at any greater length; but, with your permission, I hope in a future communication to point out how these abuses arise and to suggest some remedy.

A CITY SOLICITOR.

LICENSES TO ASSIGN.*

THE recent rapid and unparalleled advance in the price of coal has had an effect of a very serious character upon the lessors of mineral property, who in many cases have not been proof against the temptation of exacting fines upon the transfer of leases containing a clause restraining the transfer of the lease without the sanction of the lessor. The introduction of a clause restraining the transfer of a mineral lease is of comparatively recent growth; the clause is becoming more frequent, but so far as the experience for several years in a mineral district like that of Monmouthshire enables the writer to judge, the greater number of the old mineral leases were free from any restraint, and indeed, it was held not to be a common and usual covenant, so that under an agreement for the grant of a lease containing common and usual covenants, the lessor could not insist upon the insertion of a covenant restraining the assignment or transfer of the lease. As every lease contains covenants for the payment of the rent and observance of the conditions of the lease, constituting a direct and personal claim against the lessee and his representatives, during the whole length of the lease, from which a transfer or other disposition of the lease does not free the lessee or his representatives, the clause is not required for the protection of the lessor, as he retains the security for which he originally stipulated, namely, the direct and continuing liability of the original lessee and his representatives. In the majority of colliery leases the coal field is let in its crude and undeveloped state, the whole risk and expense of sinking pits, erecting machinery, providing plant, opening and developing the minerals and forming a trading connection, falls upon the lessee, and many lessees have felt to their loss the risk of such an undertaking. On the other hand, the fortunate owner of mineral property, without any contribution or risk on his part, receives his fixed rent and royalties whether the colliery be worked to a profit or a loss. Until very recently, upon the occasion of a sale of a mineral property requiring the lessor's license, unless there was some serious objection to the purchaser, the license was given as a matter of course upon payment of the costs of the lessor's solicitor, often not exceeding two to three guineas, and it was such a settled principle that the license should not be refused, that any objection to the introduction of the restraining clause in the lease would have been taken as a personal affront and insult to the lessor and his solicitors, and as implying a doubt of their honour, good faith, and integrity; and fortunately for the character of many of the large and titled proprietors, there are many cases in which no greater insult could be offered than a suggestion that the clause was inserted or retained for the purpose of driving a bargain or exacting a fine upon the transfer of the lease. And for the credit of the mineral district of Monmouthshire, with which the writer is most intimately acquainted, he has but to notice the refusal of the license by one solitary lessor. In other mineral districts, however, it is fast settling down into a custom, more honoured in the breach than the observance, to make the granting of the license a pretext for asking for the payment of a fine or for the increase of

* A Paper, written by Mr. Thomas Colborne, of Newport, Mon., for the meeting of the Incorporated Law Society, held at Leeds, October 21st and 22nd, 1874.

the minimum or royalty rents. The lessors being somewhat new to this business, the fines or other equivalents asked vary with the views of the lessors or their agents, or with the pecuniary necessities of the lessor, and therefore an arbitrary scale has hitherto been put in force, one lessor asking thousands, another asking hundreds, and another asking for increased rents, as the consideration for the license. It never occurred to any lessee or his adviser to put a market value upon the license which it was expected would be granted as heretofore, graciously and freely; but if this system of exacting a fine or other equivalent on every transfer of a colliery lease is to become generally prevalent, and to be recognised as a burden incident to colliery leases, it will be only fair that a regular scale of fines should be drawn up on behalf of the lessors, so that every lessee upon accepting a lease containing a provision in restraint of the transfer of the lease may know the price of a license in the same way that he knows the rent and royalty for which he becomes liable; and this is only reasonable, as a lessee is sometimes asked to bid for the license and to name the fine he is willing to pay, and is thus asked to place himself in the position of a man who, having been found guilty contrary to the evidence and to every principle of justice is required to suggest his own sentence while protesting his innocence. It is evident that there must be some limit to these exactions on the part of lessors, and that their demands may be pushed to such an extent as to call for parliamentary interference; and as it was deemed necessary to protect by Act of Parliament the rights and interests of the occupiers and lessees of land in Ireland, Parliament may see the propriety of protecting the interests of lessees of mineral property from acts on the part of a lessor, which in some instances may amount to an appropriation and forfeiture of the capital and property of the lessee. The lessor cannot justify this new and (to put it in the mildest form) harsh custom of putting a price on the license, by reason of the advance in the price of coal or the increase of colliery profits. The lessor has not, by any contribution of capital, or by any risk or exertion, contributed to this advance. The lessor has been so fortunate as to find a lessee willing to find all the capital and run all the risk, and to admit the lessor to a share in the profits, and sometimes to a very large share; and if a lessee in time of low prices or bad trade were to apply to a lessor for reduction of dead rent or royalty, he would be often met by the remark that colliery property is of a precarious and fluctuating nature, and that the colliery lessee must be prepared to run considerable risk in the hope of one day realizing large profits. It is, however, repugnant to every principle that should guide commercial transactions, that a lessee who has embarked a capital of £20,000, £50,000, or £100,000 in a colliery property, should hold that property entirely at the mercy of his lessor, and subject to being prevented at any time from realizing the amount invested, and transferring it to some other investments, or be prevented, say in case of sickness, from withdrawing his capital and retiring from business. Enough, it is hoped, has been said to point out the extreme hardships that may be inflicted upon the lessee by the arbitrary exercise of the power vested in the lessor of either altogether forbidding a sale or transfer of a colliery property, or exacting whatever fine he may think fit; and lessees for the future cannot be too cautious in resisting the introduction into any lease of this restraining clause, unless coupled with protection of the most ample character, so as to prevent the lessor making a market for every consent he gives to the sale or transfer of the lease. If it is urged on behalf of the lessor that it is only fair and reasonable that he should have some voice in the selection of the new lessee, it is answered that the lessor retains the security for which he originally bargained—namely, the continuing liability of the original lessee and his representatives; that he may also, if he thinks proper, obtain by way of additional security direct covenants from the purchaser; and that the very fact of the lessor granting the license upon payment of a fine or other money consideration proves that the license is only withheld for the purpose of making a market out of the necessities of the lessee. In conclusion, the writer protests against the system of exacting a fine or other equivalent for a license to assign, and denounces it as not only unfair and unjust to the lessee, but as an impolitic act on the part of the lessor, utterly destroying all confidence and friendly relationship between lessor and lessee.

BENCH AND BAR IN FRANCE.

WE condense the following from an interesting article in the *Daily News*:—French judgeships are in a manner hereditary. The eldest son of a judge almost invariably becomes a judge. The few interlopers who get appointed to the bench are mostly young men who see no chance of distinguishing themselves at the Bar—to understand which it is as well to examine what careers lie open to a French barrister. A Frenchman becomes an advocate after a three years' course of legal studies consisting mostly of fees, and chequered by two examinations very easy to pass when the youth has learned his two Codes with common diligence. Once passed the aspirant advocate has his name inscribed on the *tableau* of the Paris Bar, or on that of one of the twenty-four High Provincial Courts, his choice in this respect being guided by his own fancy or presumed interest. He does not at once, begin to practise, even if briefs are offered to him. For a twelvemonth he remains *avocat stagiaire*, or pupil, and occasionally private mock trials are held, at which, in the presence of the elders of the order, he trains himself to speak and receives hints about the pitch of his voice and manner of delivery. After this he very soon gets his first brief by being ordered, *ex officio*, to defend some prisoner too poor to pay for counsel, and from this time his professional success depends greatly on his own merits. If a young advocate show ability, it is never long before the Procurator-General tries to allure him into the *Magistrature* by the promise of a deputy-procuratorship. If the young barrister consents to this, he rises in time from a deputyship at £120 a year, to a full procuratorship at from £200 to £600, according to the locality. It may be remarked that French judicial salaries are in all cases absurdly small. The highest Chief Justice in the land, who presides over the Court of Cassation, gets only £1,200 a year, and the highest Procurator-General £1,000, but the latter official has this advantage over the former, that he can quadruple his income by giving opinions on briefs. If a barrister possesses eloquence of a high order he seldom remains long in a second-class town, but joins the bar of Marseilles, Lyons, or Paris, in which case his election to the Legislature is certain, and he is pretty sure to find himself in time a member of a Provisional Government, Minister, Ambassador, Receiver-General, or Prefect of a large city. The number of barristers who are content with professional emoluments and honours, and never meddle with politics, is extremely small; but a few of them exist, holding large practices. The ambition of these gentlemen is to be elected members of the Disciplinary Council of their order, and after that *bâtonnier*, an office of two years' tenure, which places the titulant for the time being at the head of his profession. The functions of the Disciplinary Council and *bâtonnier* are akin to those of the benchers in an English Inn, but their manner of exercising these functions are somewhat different. Thus a council would never disbar an advocate for insolence towards a judge*, the judge being himself empowered to punish in such cases by suspending his insulter for any term not exceeding two years, e.g., M. Emile Ollivier, who was once suspended for six months for accusing the bench of corruption. On the other hand, a council would straightway knock off the rolls any barrister who accepted a retaining fee from one side and then gave his services to the other, or a barrister who, after pocketing his retainer, failed to appear for his client without having a good excuse to urge. The result of this is that legal incomes never rise in France to such grand proportions as in England. M. Lachaud, who possesses the largest practice at the French Bar, earns £4,000 a year; M.M. Allon, Faure, and Nicolay, who come next after him, and hold almost a monopoly of intricate cases in the civil courts, make from 60,000 francs to 80,000 francs a year; and among other barristers reputed professionally successful, incomes average from £1,000 to £2,000 a year.

In the year 1872 1,098 joint stock companies were registered in the United Kingdom under the Companies Act of 1863, the capital proposed or authorised amounting to £133,041,395. In 1873 there were 1,224 more companies registered, their proposed capital amounting to £152,056,545.

* Nor, it is to be hoped, would any English benchers.—Ba. S. J.

Notes.

THE COURT OF COMMON PLEAS had before them on the 18th ult. a question of importance to solicitors in reference to the payment of counsel's fees. A firm of solicitors were, it appears, in the habit of paying counsel's fees annually on a list sent in to them. In the particular case their client changed his attorneys and applied to them for their bill of costs for taxation. This was sent, but on taxation it appeared that fees amounting to about £40, and appearing in the bill of costs, had not been paid to counsel. These fees, extending over some three years, were principally for conferences, which, in the case of some of the counsel in the cause, had been omitted in their annual lists of fees. The master considered that the fees were proper ones, and stated that he would allow them if counsel's signatures for them were produced. The fees were then paid, signed for, and allowed. To these the client objected, but Archibald, J., confirmed the master's decision. A rule to review the taxation was then moved for and obtained, and on the above day cause was shown. The court decided that the master was right, and that there was no imputation on the solicitors, and no substantial ground for the application to the court; but, in discharging the rule, they did so without costs, as they considered that the whole matter had arisen from an irregularity in the solicitors' office; as they ought not to have allowed, by an act of carelessness, fees to be charged in the bill of costs, which had not yet been paid, and the omission of payment of which might possibly not have been discovered but for the taxation. Some remarks fell from the learned judges to the effect that they thought the system of counsel's clerks sending in lists of fees was objectionable, as it amounted in effect to counsel having to demand fees. And they also pointed out the danger that might arise if an irregularity of the nature of that in the present case was allowed to pass in the office of a firm of eminence and above suspicion, as it might be taken advantage of for very questionable ends by less scrupulous practitioners.

ON FRIDAY WEEK the Full Court of Appeal decided, in *Ex parte Bull*, that, by virtue of section 199 of the Companies Act, 1862, the official liquidator of an unregistered partnership consisting of more than seven members has power under section 95 of the Act, to prove in the bankruptcy of any contributory for any balance against his estate and to receive dividends, "as a separate debt due from such bankrupt, and rateably with the other separate creditors," notwithstanding that the result of admitting such a proof would be to contravene the well-known rule in bankruptcy that a partner cannot prove against the estate of his co-partner so long as any of the joint debts of the firm remain unpaid. In the case before the court four mercantile firms had carried on a particular trade jointly, each firm continuing to carry on its own business separately. The association of the four firms was ordered to be wound up as an unregistered partnership consisting of more than seven members. The official liquidator of the association was allowed to prove in the separate liquidation of a member of one of the firms for the estimated amount of the calls to be made in the winding up of that firm. The nature of the association appears in *Re The Adansonias Fibre Company* (22 W. R. 889).

A DECISION OF THE LORDS JUSTICES on Saturday last, in *Ex parte Sir W. Foster*, has settled a point of bankruptcy practice of some importance. A creditor had presented a bankruptcy petition against his debtor. Before any adjudication was made, the debtor himself filed a liquidation petition. After this an adjudication was made on the creditor's petition, the proceedings under the adjudication being at the same time ordered to be stayed until after the first meeting of the creditors under the liquidation petition. The creditors resolved to accept a composition, and this resolution was confirmed at the second meeting, and was registered. The proceedings under the adjudication had been meanwhile further stayed. The question then arose whether the court had power to annul the adjudication. The petitioning creditor insisted that he had a right to go on. The court,

however, held that the 266th rule of the Bankruptcy Rules, 1870, applied to this state of circumstances; that the order staying proceedings could only have been made under that rule, and that it also gave the power to annul the adjudication, which accordingly the court did. They pointed out that the adjudication and the composition resolutions could not possibly stand together, for under the first the whole of the debtor's property would be vested in the registrar as trustee, and the debtor would have no means of paying the composition. It would be very inconvenient if, whenever a bankruptcy petition happened to be presented first, the debtor should be unable to call his creditors together to consider whether they would not prefer a liquidation or a composition to a bankruptcy. Lord Justice James, however, thought that if the adjudication had been made simply, without any stay of proceedings with a view to the liquidation petition, there would have been an end of the liquidation petition as soon as the adjudication was made. This decision amounts, in effect, to an affirmation of that of the Chief Judge in *Ex parte Ashworth* (22 W. R. 925).

THE 87TH SECTION of the Bankruptcy Act, 1869, again came under the consideration of the Chief Judge on Monday, in *Ex parte the Sheriff of Herefordshire*, the question raised being, what notice must have been given to the sheriff in order to render him liable for the proceeds of sale of the goods of a trader debtor when he has paid them over to the execution creditor before the expiration of fourteen days from the date of the sale. In the case before the court, the sheriff paid over the money to the execution creditor, one Mason, on the 29th May. On the 1st June, before the expiration of the fourteen days required by the section, the debtor, whose name was William Smith, filed a liquidation petition. He was a farmer, and also made and sold cattle medicine, and he described himself in his petition under both those characters, but there was nothing at his farm, where the goods were seized, to indicate that he was anything but a farmer. On the 1st June notice was served on the sheriff that a liquidation petition had been filed by a William Smith, who was stated to be co-defendant with one John Smith in an action brought by some other person than Mason; but this notice did not state that the William Smith mentioned in it was the same person whose goods the sheriff had sold, or that he was a trader. The Chief Judge, reversing the decision of the county court judge, held that such a notice was insufficient to render the sheriff liable under section 87. His Lordship expressed a decided opinion that the section did not impose on the sheriff the duty of inquiring in every case whether the person whose goods he has sold under an execution is a trader. On the contrary, it lies on those who seek to avoid the execution to show that the sheriff has had proper notice, within the fourteen days, of the trading, and of the presentation of the bankruptcy or liquidation petition.

THE SUPREME COURT OF ILLINOIS, in the case of *Martin v. Robson* (13 Am. Law Register 547)—in which it was held that the necessary operation of the statutes of Illinois giving a married woman the sole control of her property and earnings, free from any control or interference of the husband, was to discharge the latter from any liability for the wife's torts committed during coverture out of his presence and without his participation—conclude their judgment with the following description of the position of husband and wife under the above-mentioned statutes. "They are not one as heretofore. They are one in name, and are bound by solemn contract, sanctioned by both divine and human law, to mutual respect; should be of the same household, and one in love and affection. But a line has been drawn between them, distinct and ineffaceable, except by legislative power. His legal supremacy is gone, and the sceptre has departed from him. She, on the contrary, can have her separate estate; can contract with reference to it; can sue and be sued at law upon the contracts thus made; can sue in her own name for injury to her person and slander of her character; and can enjoy the fruits of her time and labour, free from the control or interference of her husband. The chains of the past have been broken by the progression of the present, and she may now enter upon the stern conflicts of life

untrammelled. She no longer clings to and depends upon man, but has the legal right and aspires to battle with him in the contests of the forum; to outvie him in the healing art; to climb with him the steep of fame; and to share with him in every occupation. Her brain and hands and tongue are her own, and she should alone be responsible for slanders uttered by herself."

A LABOURER who had summoned his son before the magistrate at Worship street the other day for stealing sixpence, which he had entrusted to him to buy some vegetables, was, according to the report in the *Daily News*, favoured by the magistrate with the following exposition of the law upon the subject:—"Mr. Bushby said that although the prisoner had acted dishonestly, he had not committed a criminal offence. It was a breach of trust. A person who gave another money to get change, and that person did not return either with the change or the original coin, could not, unless a servant of the prosecutor, be charged with theft, although it was gross dishonesty, for this reason—He was not to return the original coin, nor was he to bring back any specific coins. Unless a servant, no charge of robbery could be sustained, nor could the person be held liable for larceny as a bailee. In this case the boy had robbed his father, but could not be punished by the law. His father must take him home and whip him." It is to be hoped that the labourer went home a wiser, if a sadder, man, and that he was able to explain to his wife the legal reasons why their hopeful son could not be punished by the law.

A WAIL HAS ARISEN from another class of sufferers from the arrangements of the new Appeal Court in Chancery. The shorthand writers, for whose accommodation the designer had provided in a secluded portion of the court, have memorialised the Lord Chancellor on the subject of the undeserved misery inflicted upon them by their position. We are informed that his Lordship, after personally testing the accommodation complained of, intimated his intention to direct that changes should be made with a view of enabling the shorthand writers to hear what was said in court, and in the meantime we believe they have been accommodated at the registrar's table.

Appointments, Etc.

Mr. GEORGE WALPOLE LEAKE, has been appointed one of her Majesty's Counsel for Western Australia. Mr. Leake has been Crown Solicitor for that colony since 1860.

Mr. WILLIAM JOHN HICKMAN, solicitor, of Southampton, has been appointed Undersheriff of the town and county of Southampton for the ensuing year.

Mr. HENRY KIMBER, solicitor, of 79, Lombard-street, London, has been appointed a Commissioner in England to administer oaths and take affidavits and affirmations in causes in the Supreme Court of Tasmania, and also a Commissioner in England to take bail and affidavits, and to examine witnesses in the Supreme Court of Queensland.

Mr. SAMUEL LINAY, solicitor, Norwich, has been appointed a Commissioner for taking affidavits in all the courts of Common Law.

Mr. EDMUND BERNARD REECE, solicitor, of Cardiff, has been elected Coroner for the eastern division of Glamorganshire, in succession to his father, Mr. Richard Llewellyn Reece, who has resigned. Mr. E. B. Reece was admitted an attorney in Trinity Term, 1862, and for nine years filled the office of Deputy Coroner under his father.

Mr. THOMAS GRESHAM, solicitor, of 24, Basinghall-street, has been appointed Clerk to the Commissioners appointed under the St. Andrew's, Holborn, Rector's Stipend Act (4 Geo. 4, c. 118), jointly with his father and partner, Mr. William Gresham. Mr. T. Gresham was admitted in 1868, and is Deputy High Bailiff of Southwark, his father being the High Bailiff.

Mr. THOMAS HENRY CHUBB, solicitor, of Malmesbury, Wilts, has been appointed Deputy High Steward of that

borough, in the place of the Rev. Charles Pitt, deceased. Mr. Chubb was admitted an attorney in Michaelmas Term, 1848, and was for many years in partnership with his father, the late Mr. Thomas Chubb, who also held the office of Deputy High Steward for Malmesbury, till his death.

Mr. W. SHEARMAN, of Little Tower-street, has been appointed a London Commissioner to administer oaths in Chancery and Common Law.

LAWYER MAYORS.

Mr. EDWIN BURNETT, solicitor, of Dorchester, has been elected Mayor of that town for the ensuing year. Mr. Burnett was admitted in 1861.

Mr. GEORGE TRENCHARD CANNING, solicitor, of Chard, has been elected Mayor of that town for the ensuing year, having filled the office on two previous occasions. Mr. Canning was admitted in 1843, and is in partnership with Mr. William Dommett, the Registrar of the Chard County Court.

Mr. ASA JOHNES EVANS, solicitor, has been elected Mayor of Cardigan, Wales, for the ensuing year. He was admitted in Hilary Term, 1853, and is Deputy-coroner for the upper division of Pembrokeshire.

Mr. CHARLES FRYER, solicitor, of Preston, has been elected Mayor of that town for the ensuing year. He was admitted in 1857, and is a member of the firm of Cattley & Fryer.

Mr. JOHN PARRY JONES, solicitor, of Denbigh, has been elected Mayor of that town for the fourth time. Mr. Jones was admitted in 1848, and is in partnership with his son, Mr. John Parry Jones, junior. He also holds the office of Clerk to the County Magistrates at Denbigh.

Mr. JAMES KEMPTHORNE, solicitor, has been elected Mayor of Neath, in Glamorganshire, for the ensuing year. He was admitted in Michaelmas Term, 1861, and is a member of the firm of Cuthbertson and Kemphorne.

Mr. WILLIAM NICHOLS MARCY, solicitor, of Bawdley, has been re-elected Mayor of that town for the ensuing year. Mr. Marcy was admitted in 1834, and is Clerk of the Peace for Worcestershire.

Mr. PHILIP PROTHORPE SMITH, solicitor, Truro (of the firm of Smith & Paul) has been elected Mayor of Truro for the ensuing year. Mr. Smith was admitted a solicitor in 1832, and is an alderman of the borough, and also secretary to the Vice-Warden of the Stannaries.

Mr. WILLIAM HENRY STEWART, solicitor, of Wakefield, has been elected Mayor of that Borough for the coming year. Mr. Stewart was admitted in 1864, is Deputy Steward of the extensive Manor of Wakefield, and solicitor for the Wakefield Water Works Company, the Wakefield Gas Light Company, and the Wakefield and Barnsley Union Bank, and is in partnership with his father, Mr. William Stewart.

Mr. GEORGE METCALFE WATSON, solicitor, Stockton, of the firm of Newby, Richmond, and Watson, has been re-elected Mayor of Stockton for the ensuing year. Mr. Watson was admitted a solicitor in 1855.

Mr. WILLIAM WIGHTWICK, solicitor, has been unanimously re-elected Mayor of Folkestone for the third time. Mr. Wightwick was admitted in 1853, and is Clerk to the Land and Income Tax Commissioners for Folkestone.

Mr. HENRY FIELD WILKINS, solicitor, of Chipping Norton, has been elected Mayor of that town for the ensuing year. Mr. Wilkins was admitted in 1829, and is the Registrar of the Chipping Norton County Court, and this is the sixth time he has filled the office of Mayor.

In a case tried before Mr. Justice Grove on Tuesday, the plaintiff conducted his case in person, and concluded his speech by the remark that "when he came into court he had no idea that he would be treated so nicely," but he was glad to find that the law was as pure as the air of heaven, and that a poor working man had been "treated so very kindly and nicely."

Societies.

LEGAL DISCUSSION SOCIETY.

This society met at the Law Institution on the 18th inst., the president (Mr. W. E. Jones) in the chair. The question considered was—"Ought imprisonment for debt to be wholly abolished?" The discussion was opened by the treasurer (Mr. Edward Kinns), who gave an interesting account of the working of commitment orders issued from the county courts, most of which he stated were merely held *in terrorem* and were never put into force. Messrs. Dupree, Anderson, Stanley, Aylett, Ely, and the president took part in the discussion, and the question was decided in the negative by a majority of four.

ARTICLED CLERKS' SOCIETY.

A meeting of this society was held at Clement's Inn Hall, on Wednesday, the 18th inst., the subject for the evening's debate being, "Is a condition defeating a gift to a man on his second marriage good?" The question was decided in the affirmative by a majority of one.

MANCHESTER LAW STUDENTS' DEBATING SOCIETY.

The first sessional meeting of this society was held at the rooms in Cross-street, on Monday evening, under the presidency of Mr. Bateson Wood, solicitor. The society has been in existence under its present constitution for a number of years, and has won the favourable regard of many gentlemen connected with the profession. The chairman, in a brief address, expressed his good wishes for the welfare of the society, and gave the students some practical advice as to the methods of study which they should pursue. He showed by apt illustrations drawn from his own experience, how wide and various was the knowledge which a solicitor should possess in order to discharge his duty efficiently, and urged the law students of Manchester to avail themselves of the facilities which were now placed within their reach. Mr. Bateman, the hon. sec. etary, gave a history of the society in its various conditions since the name was first assumed, more than sixty years ago. Dr. Pankhurst gave an elaborate and interesting address on the study of jurisprudence, for which he received the cordial thanks of the society.

Courts.

COMMON PLEAS.

(Before Lord COLERIDGE, C.J., and KEATING, GROVE, and DENNAN, JJ.)

Nov. 14.—*In re an Attorney.*

On Jan. 15th last a rule was obtained calling upon an attorney to answer the matters of certain affidavits (18 S. J. 225). From the statement of counsel then made it appeared that the attorney acted as the solicitor of the executors of a will, under which freehold property was devised to the wife of a Mr. C. Soon after the probate of the will the attorney informed Mr. C. that he and his wife were liable to pay one third of the debts of the testator, and the costs of probate and administration, and requested him to furnish the necessary funds. On Mr. C.'s stating that he was not in a position to do so, the attorney advised him to mortgage the devised property for £250. This amount Mr. C. instructed the attorney to obtain on mortgage of the property, and in November, 1872, Mr. C. and his wife executed a mortgage deed, and the sum of £250 was paid by the mortgagee to the attorney. Of this amount he paid Mr. C. altogether in four sums £95, but retained £155. After frequent applications to the attorney with reference to the application of this balance, Mr. C. consulted another solicitor, and no explanation being forthcoming, the Law Society was at length communicated with, and Mr. Williamson wrote to the attorney, who, after a month's

delay, replied to the effect that the executors' accounts would be lodged at the Stamp Office and the duties paid in a few days, and that whatever balance might then remain would be handed over to Mr. C.; but he thought that the succession duty and other claims would absorb the balance. No account had been rendered and no further explanation given.

Morgan Howard, Q.C., now stated that the attorney had made an affidavit from which it appeared that he really believed the statements that he had made to the devisees; and not having much practice he was under the impression that the succession duty would be £90 or £100, and that the £250 would not be more than enough to pay the charges and costs; that he had no intention whatever to defraud his client; and if the rule were enlarged he would make out the account and hand over any balance that might be due. It was further stated that the attorney had suffered reverses, that he was in ill-health, and that these circumstances accounted for the delay that had taken place. Counsel urged that the matter should be allowed to stand over till next term.

Garth, Q.C. (Murray with him), on behalf of the Incorporated Law Society, did not object to a postponement of the case if the court thought fit. It was not true that the devisees would have to pay one-third of the debts, or the probate duty, and all that he would have to pay would be something under £20 for succession duty. It did not appear that this duty had been paid out of the sum borrowed, nor what had become of the balance.

Lord COLERIDGE said the present strong impression of the court would be to order this attorney to be struck off the roll of the court. Attorneys were clothed by the court with an exceptional and confidential character, and were certificated as persons of honour and integrity who might be safely employed in the conduct of business. Taking advantage of the character with which the court had clothed him, this gentleman had got money from his client by representations which the court did not doubt that he knew to be untrue, and put a large portion of it into his own pocket. Now for his part he thought the court had scarcely been strong enough in cases of this kind and had scarcely distinguished with sufficient breadth between the misconduct of the attorney as an officer of the court, and the particular injury and fraud committed by the attorney upon the client. It was a mistake to suppose that an attorney could purge himself by returning money improperly obtained from a client, and which, but for terror of the court, would probably not have been returned. Under the circumstances the court would have been prepared to say that this gentleman having got money as an attorney by fraudulent misrepresentations, and having disgraced the exceptional and confidential character that the court had clothed him with, they should strip him of that character, as unfit any longer to hold it. In accordance however, with the course pursued in *Re Wright* (12 C. B., N. S. 705) the rule would be peremptorily enlarged until the first day of next term to give him an opportunity, if he should think fit, to try to satisfy them that he should retain the character that he at present held; but if he did not so satisfy them, then he must be struck off the roll.

A correspondent says—"Probably when the new arrangements with reference to vacation sittings come into operation such a circumstance as the following will never occur, so, perhaps, it may be well to record it as an incident of the old system:—During this last vacation I was in a trial at one of the London county courts, which, at the solicitation of the plaintiff, had been fixed in September. It was a jury case, but could easily have waited until the holidays were over. However, an impatient plaintiff, who had slept on his rights for several years, suddenly woke up and the case was heard and decided. The remarkable fact I wish to note is that nearly everybody concerned in the case came up from the country. The plaintiff's attorney came from Bournemouth, his counsel from Weymouth. The defendant came from Yarmouth, his counsel from Brighton, and his attorney also from the country, and all came up expressly for this case. The judge, no doubt, also came up expressly, but that is not unusual."

Obituary.

MR. DANIEL BURGESS.

We regret to announce the sudden death of Mr. Daniel Burgess, solicitor, and Town Clerk of Bristol, on the evening of the 10th instant. On the morning of that day he had officially attended the swearing in of the new mayor of the city, and was apparently in his usual health; but in the evening, while quietly reading the *Times*, he suddenly expired. He was known to suffer from weak action of the heart, but had had no immediate warning of any danger. Mr. Burgess was the son of Mr. Daniel Burgess, for many years Town Clerk. Having been educated at the Bristol Grammar School, he was in due course articled to his father and was admitted a solicitor in 1832, and also became a notary and proctor. In 1849, he succeeded his father as Town Clerk, and had been for many years in partnership with Mr. William Brice, the City Solicitor and Clerk to the Borough Magistrates. He was for a long period Quartermaster to the Bristol City Rifle Volunteers, and was always most indefatigable in promoting the welfare of that corps. He performed all his official duties in a most zealous and conscientious way, and was universally esteemed for his courtesy and kindness. Mr. Burgess was married to a daughter of the late Mr. Benjamin Travers, the eminent surgeon, by whom he leaves several children. Mr. George Burgess is a brother of the deceased. At the sitting of the borough magistrates on the morning after Mr. Burgess's death the Mayor (Mr. Thomas), made a feeling allusion to the melancholy event, and spoke of the efficient manner in which all his public duties had been performed.

MR. W. COZENS.

Mr. William Cozens, solicitor, of Haverfordwest, Pembrokeshire, died at St. Martin's-crescent, his residence in that borough, on the 3rd inst., at the age of seventy-three years. The deceased was the eldest son of the late Mr. William Cozens, of Rosepool, and was educated at the Haverfordwest Grammar School. He was admitted an attorney in Easter Term, 1825, so that he had been in practice for nearly half a century. In 1850, he was elected mayor of Haverfordwest. Mr. Cozens was remarkable for his extraordinary physical strength and tall stature, having been six feet seven inches in height. His herculean frame and commanding appearance stood him in good stead during his mayoralty, when riots took place, and he fearlessly headed the police in their endeavours to restore order. His funeral took place on the 10th November.

ACCOUNTANTS AND THE BANKRUPTCY ACT.

"UNFORTUNATE CREDITORS" writes as follows in the *Times* of Thursday:—"The time that has intervened since the coming into operation of the Bankruptcy Act of 1869, has witnessed the gradual development of what may now be considered to have climaxed in a system of touting by accountants, or persons styling themselves such."

As the evil is one which admits of easy remedy, we venture to ask your powerful aid in the matter, being ourselves at present creditors on five estates.

The course to be complained of is as follows:—No sooner does a debtor suspend payment than an active canvass of the creditors is commenced, each being asked to concur with others whom the accountant alleges he represents, in some course of action he indicates, invariably having for its ultimate object his own appointment as trustee. To attain this all manner of expedients are resorted to; charges of misconduct are made against the debtor, in many cases without the shadow of foundation, and the claims of other *bond fide* creditors, who it is supposed will act upon their own judgment, disputed, no expedient being omitted to obtain a proxy.

The support of some few unsuspecting or inexperienced creditors having thus been secured, the accountant attends the statutory meeting armed with his proofs and proxies. Anything more deplorable than the mode in which the proceedings are conducted at some of these meetings it is impossible to conceive. Proofs are challenged and objected

to, the debtor is sometimes again and again examined, and every reasonable suggestion as to the mode in which the estate shall be realised in the interest of all concerned thwarted. Eventually the creditors, utterly weary of useless discussion, arrive at some hasty decision, the opposition being frequently bought off.

It is surprising that this state of affairs, the preying upon the carcass of a bankrupt, has not earlier received consideration, together with certain other points in our Bankruptcy Law that are generally admitted to need amendment.

The remedy, as has been stated, is simple; in a great measure it is in the hands of the creditors themselves if they will only withhold their support from stray accountants and attend these meetings personally. Undoubtedly many are unable to do so, and, unwilling to devote time to the recovery of something out of a loss already incurred, are glad to be relieved of trouble without additional expense.

Moreover, the mode in which they are first approached throws creditors very frequently off their guard when representations such as the following are made:—"I represent Messrs. A. and B., or the — Bank, and other principal creditors of Messrs. C. and D., and am instructed to look into their affairs, and in this my friends desire you to co-operate," &c. Such is the formula sometimes adopted, in some cases with, and in others without, the authority of those professed to be represented.

It should be distinctly understood that these observations in no way refer to the many eminent firms of accountants who are known to discountenance the practice complained of, if possible even to a greater extent than the many who, with us, must subscribe themselves unfortunate creditors."

A CONTEST FOR A COMMISSIONERSHIP.

In the Court of Queen's Bench at Dublin on Tuesday week the following scene occurred:—

Mr. Boyd applied on behalf of Mr. Steward, managing clerk of Messrs. McLean & Boyle, solicitors in Belfast, that he should be appointed a commissioner for taking affidavits. His certificate was signed by thirty-nine attorneys, fifty magistrates, and eight of the existing commissioners.

Mr. Weir applied that Mr. D. F. Spiller should be appointed. He was constantly in his office, and his certificate was numerous and influentially signed.

Mr. Porter, Q.C., appeared with Mr. Weir on behalf of Mr. Spiller.

Mr. McMahon, Q.C., proposed that Mr. Allen should be appointed. He was a commission agent in Carlisle, at Belfast, and his certificate was numerous and signed.

Mr. Kistey proposed that Messrs. Connell & Beatty should be appointed. Their certificates were influentially signed.

Mr. Monroe said he was instructed on behalf of five of the existing commissioners to oppose the appointment of any of these gentlemen.

Chief Justice.—How many do you appear for?

Mr. Monroe.—No less than five, my lord, and they say that fourteen commissioners at present existing in Belfast are quite competent to do the business.

Mr. Justice O'Brien.—Have you filed any affidavit?

Mr. Monroe.—No.

Chief Justice.—You merely oppose on general principles?

Mr. Monroe.—Yes; there are thirty-five solicitors in Belfast, so that every two of them has a commissioner to himself.

Chief Justice.—Were there not seventeen commissioners there before?

Mr. Monroe.—Yes; but the fourteen at present existing consider they are quite capable of discharging the duty. They reside principally in the centre districts, such as Donegal-street and Waring-street.

The Lord Chief Justice said that the Court would appoint Mr. Beattie for the present, and let the application for the third vacancy stand over.

The Town Clerkship of the borough of Glastonbury has become vacant by the death of Mr. Stephen Holman, who had held the office for thirty-four years. Mr. Holman was admitted in 1830, and was also clerk to the borough magistrates.

Legal Items.

The Berlin law journals announce that the case against Count Arnim is now complete, and that the trial will take place early in December.

The *Manchester Guardian* states that on Wednesday evening a special meeting of the Ashton-under-Lyne Town Council was held to appoint a town clerk in room of Mr. William Marshall, resigned. Mr. Henry Gartside, solicitor, of Ashton, was appointed to the office.

"Dr. Elmonds" was reported by some of the papers to have said at the nomination of candidates for the coronership of Central Middlesex, that "a knowledge of the laws of evidence could at any time be acquired in twenty-four hours." We are happy to observe that Dr. James Edmunds, the only doctor of that name upon Dr. Hardwicke's committee, has disavowed the uttering of this nonsense. It would be interesting to know whether it was actually uttered by anyone on the occasion referred to.

The Treasury department have disallowed £217 7s. 1d. of the claim of £767 17s. 9d., the expenses of prosecutions at Hull during the past half-year. The town clerk explained to the committee receiving the communication that it was usual, and the Lancashire magistrates recently raised the question as to whether Government should not pay one-half of the expenses of prosecutions, but it was held they were not in a position to coerce the Government in the matter. He felt, however, some good might be done if a committee were appointed to look into the items, as some disallowance might be capable of explanation. A sub-committee was appointed to consider the matter.

On Monday a deputation from the London School Board waited on the Home Secretary to complain that magistrates were in the habit of putting the Board's cases against parents last on the list, and to suggest "that there should be some increased power in the matter, either by a special magistrate appointed to take all their cases, or that magistrates should fix certain days to hear the cases." Mr. Cross said that with regard to the appointment of a magistrate for hearing that particular class of cases exclusively, or any other classes of cases exclusively, he thought he should not be wrong if he unhesitatingly expressed his opinion that such a step would work extremely ill, and that he certainly never could sanction such a course.

"Lex," writing to the *Standard*, says:—"It has been announced that the Lord Chancellor has appointed a committee to inquire and report to his Lordship upon the effect of the various legislative changes in the system of bankruptcy administration since 1831. The committee, which held its first meeting during the past week, consists of Mr. Rapert Kettle (county court judge), Mr. Registrar Brongham, Mr. Parkyns (comptroller in bankruptcy), Mr. Hackwood, solicitor (Linklaters & Co.), and Mr. Nichol (of the County Court Department of the Treasury). These are respectable names, but surely a committee limited to these is hardly strong enough for the very important inquiry entrusted it. It seems to me to lack an essential element which might be most easily supplied—viz., length and breadth of experience. I venture to suggest that to make the report of the committee authoritative and useful some one or more of the ex-commissioners (retired on full-pay) and a good mercantile solicitor whose interests are not exclusively centered in bankruptcy practice, should be added to it."

The late Judge W., says the *Albany Law Journal*, was distinguished for his ready wit, an instance of which occurred many years ago. A young lawyer by the name of Baldwin had opened an office in a country village, in an inner room in the second story of a building, the access to which was by a flight of stairs upon the outside of the building. At the head of the stairs a door opened into a large vacant room, out of which a second door opened into the young lawyer's office. To indicate his whereabouts, he had a sign, giving his name and profession, placed upon the outside of the building, and then, to guide his clients, if any inquired for him, he had fastened a smaller sign by the side of the stairs, another upon the door at the head of the stairs, and a fourth

upon the inner door that opened into his office. On one occasion Judge W. was passing through this village, and called upon his friend the young lawyer. He found no difficulty in making his way into his office, but found the inmate absent. On his return Mr. B. found lying upon his table the following line, in the familiar handwriting of the Judge:

"In olden times to wicked men,
'Tis said no sign was given,
But now, if signs will save a man,
Baldwin will go to heaven."

PUBLIC COMPANIES.

GOVERNMENT FUNDS.

LAST QUOTATION, Nov. 20, 1874.

3 per Cent. Consols, 93½	Annuities, April, '85 92
Ditto for Account, Ds. 91½	Do. (Red Sea T.) Aug. 1908
5 per Cent. Reduced 91½	Ex. Bille, £1000, 2½ per Ct. 2 dis.
New 3 per Cent., 91½	Ditto, £500, Do 2 dis.
Do. 3½ per Cent., Jan. '94	Ditto, £100 & £200, 2 dis.
Do. 2½ per Cent., Jan. '94	Bank of England Stock, 5 per
Do. 5 per Cent., Jan. '73	Ct. (last half-year), 255
Annuities, Jan. '80 —	Ditto for Account.

RAILWAY STOCK.

Railways.	Paid.	Closing Price
Stock Bristol and Exeter	100	111
Stock Caledonian	100	98½
Stock Glasgow and South-Western	100	98
Stock Great Eastern Ordinary Stock	100	41½
Stock Do., A Stock*	100	139½
Stock Great Southern and Western of Ireland	100	153½
Stock Great Western—Original	100	109
Stock Lancashire and Yorkshire	100	114
Stock London, Brighton, and South Coast	100	142½
Stock London, Chatham, and Dover	100	92½
Stock London and North-Western	100	28½
Stock London and South-Western	100	147½
Stock Manchester, Sheffield, and Lincoln	100	114
Stock Metropolitan	100	73½
Stock Do., District	100	73
Stock Midland	100	32
Stock North British	100	156½
Stock North Eastern	100	67
Stock North London	100	164
Stock North Staffordshire	100	110
Stock South Devon	100	55
Stock South-Eastern	100	57
		112

MONEY MARKET AND CITY INTELLIGENCE.

The Bank rate is still 5 per cent. The proportion of reserve to liabilities has scarcely changed since last week. It was then 39·12 per cent. and is now 39·65 per cent. The home railway market was firm on Tuesday, but with this exception, has been rather dull during the week. The foreign market has shown little change, and business has been rather limited. Consols on Thursday closed 93½ to ½ for money, and 93½ to ½ for the account.

Messrs. Martin & Co., 68, Lombard-street, are authorised by the directors of Vimenot & Co. (Limited), to receive applications and subscriptions for the debenture capital, £80,000, in eight per cent. debentures of £40 each, payable to bearer, with interest accruing from 1st November, 1874, constituting obligations of the company, and specially secured by the deposit in the hands of trustees of £80,700 of the company's property. Such debentures are repayable £30,000 in seven years (by a drawing), and £30,000 in ten years. Coupons will be attached to the debentures, making the interest payable on the 1st May and 1st November in each year either in London, Brussels, or Paris. Messrs. Martin & Co., are also authorized to receive applications for the share capital, £70,000, in 7,000 shares of £10 each, of which 2,500 shares are now offered for subscription, the remaining 4,500 shares having been already privately subscribed by the vendor and his friends. No application money will be required, but both the debentures and shares will be payable in full on allotment. The prospectus states that this company has been formed for the purposes of acquiring and carrying on the business of felt hat manufacturers, established by Messrs. Vimenot & Co. in Brussels and Paris, in which upwards of 2,000 hands are employed. The list of applications for debentures and shares will close on or before the 30th inst.

Law Students' Journal.

CALLS TO THE BAR.

The undermentioned gentlemen were on Tuesday called to the bar:—

LINCOLN'S INN.—Daniel Robert Fearon, M.A., Oxford; Douglas Close Richmond, M.A., Cambridge; Thomas Middleton Rogers, B.A., Oxford; John Baddeley Wood, B.A., Oxford; Henry Rae, B.A. and LL.B., Cambridge; Henry Edward Hirst, M.A., and B.C.L., Oxford; Charles Benjamin Bright McLaren, M.A., Edinburgh; William Webb Spencer Follett, B.A., Cambridge; Hugh Hough Rinch, Magdalen College, Oxford; William Henry Gover, LL.B., University of London; William Michael Spence, M.A., Cambridge, Fellow of Pembroke College; Edward John Payne, M.A., Oxford, Fellow of University College; John Haviland, M.A., Cambridge; Reginald John Lake, B.A., Oxford; Charles James Tennant Dunlop, M.A., Oxford; Francis Henry Pitt-Taylor, B.A., Cambridge; Robert Edward Hallett Holt; Edward Fortescue Torriano; Madgwick George Davidson, M.A., Oxford; and William John Tanner B.A., Oxford, Esqs.

INNER TEMPLE.—Oliver Alexander Ainslie, London; Charles Henry Walton, Oxford; Herbert Carey George Batten, B.A., Cambridge; Charles Awdry, M.A., Oxford; Ernest Frederic Silvester, Oxford; John Heywood Johnstone, B.A., Cambridge; Francis Medland Phillips, Associate of King's College; Robert Chellas Graham, B.A., Cambridge; Heighway Jones, jun., LL.B., Cambridge; Edward Boycott Jenkins, B.A., Oxford; Rudolph Eyre Meisheimer, B.A., Cambridge; William Pickford, B.A., Oxford; Cecil Francis Parr, Oxford; Charles Tyrrell Giles, B.A., Cambridge; Goodwin Young, B.A., Cambridge; Arthur William Roberts, B.A., Oxford; Arratoon Carapiet, B.A., Cambridge; John Alexander Apar; William Edward Norris; David Jardine Jardine, B.A., Cambridge; William Frederick Alphonse Archibald, M.A., Oxford; Henry John Church; Thomas Latham, B.A., Cambridge; Cecil Isaacson, B.A., Cambridge; Edward Marjoribanks; John Frederic Clerk, B.A., Oxford; Charles Edward Jones; and James Bigg Porter, Esqs.

MIDDLE TEMPLE.—Robert William Taylor, University of London, B.A., holder of the First Studentship from the Council of Legal Education in May, 1874; John Fletcher Moulton, of Christ's College, Cambridge, Fellow and Lecturer; Arnold Jeffries Cleaver; Stephen Herbert Gatty, of New College, Oxford; John Temple Ashwell Cooke; Robert William Broomfield; Walter Annis Attenborough, of Trinity College, Cambridge, B.A.; George Humphreys, of Queen's University, Dublin, B.A.; William James Howard, of Trinity College, Dublin, B.A.; George Osmond Beeby; Charles William Buller, of All Souls' College, Oxford, B.A.; William Davy, of Trinity Hall, Cambridge, B.A.; Sir David Lionel Salomons, of Caius College, Cambridge, B.A.; Frank Normandy; Thomas Alfred Spalding; Henry Boyes Mugliston; John Gerard Laing, of Clare College, Cambridge, B.A., and London University; Charles Henry Marriott Wharton; David Alfred Aird, of St. Mary Hall, Oxford; and Yves Pierre Antoine Jollivet, Esqs.

GRAY'S INN.—Francis Phillips, of 96, Gloucester-crescent, Hyde-park, Middlesex, the only surviving son of the late Charles Henry Phillips, F.R.C.S., of 6, Trafalgar-square, Brompton, in the said county.

Court Papers.

CENTRAL CRIMINAL COURT.

The judges on the rota of the Central Criminal Court for the current year are as follows:—December 14: Chief Justice Coleridge, Mr. Justice Quain, and Mr. Baron Amphlett. January 11: Chief Baron Kelly, Mr. Justice Blackburn, and Mr. Justice Denman. February 1: Mr. Baron Bramwell, Mr. Justice Mellor, and Mr. Justice Grove. March 1: The North Wales Circuit Judge. April 5: Mr. Justice Brett, Mr. Baron Cleasby, and Mr. Justice Archibald. May 3: Lord Chief Justice Cockburn, Mr.

Justice Keating, and Mr. Baron Cleasby. June 7: Chief Justice Coleridge, Mr. Justice Blackburn, and Mr. Baron Pollock. July 12: The North Wales Circuit Judge. August 16: Mr. Justice Mellor, Mr. Justice Brett, and Mr. Baron Amphlett. September 20: Chief Baron Kelly, Mr. Justice Denman, and Mr. Justice Archibald. October 25: Mr. Baron Bramwell, Mr. Justice Grove, and Mr. Justice Quain.

COUNTY COURTS.

I, The Right Honourable Hugh McCalmont, Baron Cairns, Lord High Chancellor of Great Britain, do, under the powers vested in me by the County Court Rules, hereby order that the offices of the county courts may be closed on the twenty-sixth and twenty-eighth days of December, 1874.

Given under my hand this eleventh day of November, 1874. CAIRNS, C.

LANCASHIRE WINTER ASSIZES, 1874.

The commissions for holding these assizes will be opened at Manchester on Thursday, 26th November, and at Liverpool on Tuesday, 8th December.

Causes for trial at Manchester can be entered provisionally at the office of the District Prothonotary and Deputy Associate, 57, King-street, Manchester, on Saturday, the 21st November, and daily thereafter until Tuesday, the 24th November, inclusive, during office hours.

Causes for trial at Liverpool can be entered provisionally at the office of the Prothonotary and Associate, 13, Harrington-street, Liverpool, on Wednesday, the 2nd December, and daily thereafter until Saturday, the 5th December, inclusive, during office hours.

The entry of causes at Manchester and Liverpool respectively will commence at the Assize Courts, Manchester, and St. George's Hall, Liverpool, immediately after the opening of the Commissions, and will close at nine o'clock on the evening of the Commission day.

The court will sit at Manchester on Friday, the 27th November, at eleven o'clock in the forenoon, and at Liverpool on Wednesday, the 9th December, at the same hour.

The trial of special jury causes will commence at Manchester on Tuesday, 1st December, at ten o'clock in the forenoon, and at Liverpool on Saturday, the 12th December at the same hour, unless the Court shall otherwise order.

A list of causes for trial at Manchester and Liverpool respectively each day (except the first) will be exhibited in the corridor of the court and in the library.

The courts will not sit at Liverpool after Wednesday, the 23rd December, and all causes not then disposed of will be made Remanets until the Spring Assizes.

By order of the Judges,

T. E. PAGET, Prothonotary and Associate.

Prothonotary's Office, Liverpool, Nov. 18.

BIRTHS AND DEATHS.

BIRTHS.

BELL.—On Nov. 18, at Mapperley-house, Lee, Kent, the wife of Charles Bell, solicitor, prematurely, of a daughter, who survived her birth only a few hours.

MATTHEWS.—On Nov. 4, at Eastbourne, the wife of Charles M. Matthews, solicitor, of a daughter.

WILKINSON.—On Nov. 13, at 58, Elsham-road, Kensington: the wife of Josiah Wilkinson, Jun., barrister-at-law, of a daughter.

DEATHS.

BARTLETT.—On Nov. 15, at the Tavistock hotel, Covent-garden, Richard Bartlett, Esq., barrister-at-law, aged 77.

BOTHAMLEY.—On Nov. 16, 34, Royal-crescent, Notting-hill, Thomas Hilton Bothamley, solicitor, 13, Queen-street.

BURGESS.—On Nov. 10, at Clifton, Daniel Burgess, Town Clerk of Bristol, aged 64.

CARDEN.—On Nov. 18, at The Grove, Hendon, George Frederick Carden, Sussex-gardens, Hyde-park, barrister-at-law, aged 76.

HILL.—On Nov. 15, William Money Hill, solicitor, Newcastle-upon-Tyne, aged 43.

HOLMAN.—On Nov. 11, at Glastonbury, Stephen Holman, Esq., for 34 years Town Clerk of the Borough, aged 68.

LONDON GAZETTES.

Professional Partnerships Dissolved.

FRIDAY, Nov. 13, 1874.

Phillips, Edward Bevell, and Neville Willcombs, attorneys and solicitors, Mark lane, London. Nov 3

TUESDAY, Nov. 17, 1874.

Johnson, Saffery William, and Henry Charles Coote, attorneys, solicitors, and proctors, Wardrobe place, Doctors' commons, and Gray's inn square, Middlesex. Nov 7

Winding up of Joint Stock Companies.

FRIDAY, Nov. 13, 1874.

LIMITED IN CHANCERY.

Aldershot Brick and Tile Works Company, Limited.—Petition for winding up, presented Nov 11, directed to be heard before V.C. Bacon, on Nov 21. Noon and Tiddeman, Blomfield st, solicitors for the petitioner.

Continental and General Tramways Company, Limited.—Petition for winding up, presented Nov 12, directed to be heard before the M.R., on Nov 12. Singleton and Tattershall, Great James st, Bedford row, agents for Fawcett and Malcolm, Leeds, solicitors for the petitioners. Coondoor and Pagoda Coffee Company, Limited.—Petition for winding up, presented Nov 10, directed to be heard before V.C. Hall, on Dec 4. Canliffe and Beaumont, Chancery lane, solicitors for the petitioner. Indian Coffee Estate Company, Limited.—Petition for winding up, presented Nov 10, directed to be heard before V.C. Hall, on Dec 4. Canliffe and Beaumont, Chancery lane, solicitors for the petitioner. Karkery Coffee Company, Limited.—Petition for winding up, presented Nov 10, directed to be heard before V.C. Hall, on Dec 4. Canliffe and Beaumont, Chancery lane, solicitors for the petitioner. London and Paris Banking Corporation, Limited.—Petition for winding up, presented Nov 11, directed to be heard before the M.R., on Nov 21. Crook and Smith, Fenchurch st, solicitors for the petitioner.

COUNTY PALATINE OF LANCASTER.

North Lonsdale Steam Ship Company, Limited.—Petition for winding up, presented Nov 7, directed to be heard before the V.C., at St. George's hall, Liverpool, on Nov 30. Edward Williams, Liverpool, solicitor for the petitioner.

TUESDAY, Nov. 17, 1874.

LIMITED IN CHANCERY.

African Barter Company, Limited.—By an order of V.C. Hall, dated Nov 6, it was ordered that the above company be wound up. Smith, Caiden square, agent for Silvester, Beverley.

Cork Tramways Company, Limited.—By an order made by the M.R., dated Nov 7, it was ordered that the above company be wound up. Keighley and Co, Philipot lane.

Foreign and Colonial Gas Company, Limited.—Petition for winding up, presented Nov 13, directed to be heard before V.C. Malins, on Dec 4. Tucker, Chancery lane, solicitor for the petitioner.

Foreign Service Supply Company, Limited.—By an order made by V.C. Hall, dated Nov 6, it was ordered that the voluntary winding up of the above company be continued, and in place of Peter Krauss Klein, it was ordered that James Thomas Snell be appointed liquidator. Ingle and Co, Threadneedle st, solicitors for the petitioners.

John Wilkinson, Son, and Company, Limited.—By an order made by the M.R., dated Nov 7, it was ordered that the voluntary winding up of the above company be continued. Torr and Co, Bedford row, agents for Middleton and Sons, Leeds, solicitors for the petitioners.

London and County Tramways Company, Limited.—By an order made by V.C. Hall, dated Nov 6, it was ordered that the above company be wound up. Toque, Aldermanbury, solicitor for the petitioners.

London and English Bank, Limited.—By an order made by V.C. Hall, dated Nov 6, it was ordered that the above bank be wound up. Mosson, Canon st, solicitor for the petitioner.

Lowestoft, Yarmouth, and Southwold Tramways Company, Limited.—By an order made by the M.R., dated Nov 7, it was ordered that the above company be wound up. Toque, Aldermanbury, solicitor for the petitioners.

New Nant-y-Blaidd Silver and Mine, Limited. By an order made by the M.R., dated Nov 7, it was ordered that the above mine be wound up. Radford, Cality court, Chancery lane, solicitor for the petitioner.

People's Coal and Colliery Company, Limited.—By an order made by the M.R., dated Nov 7, it was ordered that the above company be wound up. Torr and Co, agents for Dibb and Riley, Barnsley, solicitors for the petitioners.

Southall, Ealing, and Shepherd's Bush Tram Railway Company, Limited. By an order made by the M.R., dated Nov 7, it was ordered that the above company be wound up. Harris, Morgate st, solicitor for the petitioners.

STANNARIES OF DEVON AND CORNWALL.

Native Iron Ore Company, Limited.—Petition for winding up, presented Nov 12, directed to be heard before the Vice-Warden, at the Princes hall, Truro, on Nov 25 at 11. Affidavits intended to be used at the hearing, in opposition to the petition, must be filed at the Registrar's office, Truro, on or before Nov 22, and notice thereof must at the same time be given to the petitioners, their solicitors, or their agents. Gregory and Co, Bedford row, agents for Carlyn and Paul, Truro, solicitors for the petitioners.

Creditors under Estates in Chancery.

Last Day of Proof.

FRIDAY, Nov. 13, 1874.

Albert, Hugh Charles, Southall Park, Gens. Dec 10. Buckingham v Glabb, V.C. Hall. Gribble, Abchurch lane.
Elliott, Thomas, Victoria rd, Clapham Common, Gent. Dec 19. Bowen v Seaton, V.C. Malins. Buddleley and Sons, Leman st, Goodman's fields.

Guertera, Joao Evangelista, Belisio Park gardens, Merchant. Jan 11. Royal Oporto Wine Company v Guerra, V.C. Hall. Walker and Co, Southampton st, Bloomsbury.

Lewis, Edward, Worship st, Printery, Lithographer. Dec 16. Luck v Lewis, M.R. Perry, Guildhall chambers.

Palliser, Graham, Plymouth, Devon, Esq. Dec 21. Palliser v W.V.C. Hall. Poole and Hughes, New square, Lincoln's inn.
Lopes, Jono Baptista, Rio de Janeiro, Brazil, Merchant. March 1. Goncalves v Vianna, M.R. Upton, Austin Friars.
Westerby, William, Jun, Halton, Holgate, Lincoln, Farmer. Dec 1. Sinclair v Westerby, V.C. Hall. Bean, Boston.
Williams, Robert, Bryn, Anglesea, Gent. Dec 9. Johnson v Williams, V.C. Malins. Lees, Wigan.

Creditors under 22 & 23 Vict. cap. 35.

Last Day of Claim.

FRIDAY, Nov 13, 1874.

Allen, Mary Ann, Dorington, Salop. Dec 31. Wace, Shrewsbury.
Allen, William Henry, Westbourne st, Pimlico, Wine Cooper. Dec 31. Allen, Pimlico.
Anandale, William, Newcastle-upon-Tyne, Civil Engineer. Dec 31. Allan and Davies, Newcastle-upon-Tyne.
Bates, John, Brighton, Sussex, Gent. Feb 1. Clarke and Howland, Brighton.
Blackburn, John, High Holborn, Hosiery. Dec 15. Pattison and Co, Lombard st.
Carveil, Richard, Plymouth, Devon, Gent. Dec 12. Shilson and Co, St Austell.
Curtis, William, Woodbine grove, Penge, Timber Merchant. Dec 1. Rowland, High st, Croydon.
Dalrymple, Donald, Thorpe, near Norwich, Esq., M.P. Jan 1. Birchan and Co, Parliament st.
Dent, Elizabeth, New Windsor, Berks. Dec 28. Woolacott and Leonard, Gracechurch st.
Dimmock, Maria, Loughton, Essex, Baker. Dec 22. Townend, Queen st, Cheapside.
Edden, Charles Hotson, Westbourne terrace, Esq. Feb 10. Upton and Co, Austin Friars.
Forbes, Alexander, Montagu place, Montagu square, Esq. Dec 10. Tweseld, Lincoln's inn fields.
Forbes, Mary Eleanor, Huyton, Lancashire. Dec 15. Hore and Monkhouse, Liverpool.
Gibbons, William Reynolds, Giamford Briggs, Lincoln, Chemist. Jan 15. Hebb, Lincoln.
Grant, Caroline, Chippenham terrace, Harrow rd. Dec 15. Smith and Son, Finsbury's inn.
Hanley, Charles Augustus, Wendover, Buckingham, Gent. Dec 15. Haycock, College hill.
Hardy, Harcourt William, Great Marlow, Buckingham, Merchant. March 15. Gregory and Co, Bedford row.
Harker, Edmund, Greeton, Gloucester, Gent. Jan 16. Woolwinchcombe.
Harrison, Robert Devereux, Fron Lwyd, Montgomery, Esq. Dec 1. Harrison, Welshpool.
Brenshaw, Clarissa, The Pavement, Clapham. Dec 24. Hoppgood, White hall place.
Holme, William, Docker Garth, Kendal, Westmoreland, Farmer. Dec 1. Gregg, Kirby, Lonsdale.
Homfray, Henrietta Janet, Nevills st, Onslow square, Brompton. Dec 12. Paterson and Co, Chancery lane.
Landsdowne, Matilla, Preston, Sussex. Dec 31. Woods and Dempster, Brighton.
Limmer, James Howell, Roadham Hall, Norfolk, Farmer. Dec 21. Clowes, New Buckenham.
McVey, David, Jarrow-on-Tyne, Durham, Innkeeper. Jan 1. Mather and Co, Newcastle-upon-Tyne.
Mansel, Elizabeth, Cambridge st, Hyde Park. Dec 24. Johnston and Jackson, Chancery lane.
Moses, John, Newcastle-upon-Tyne, Draper. Jan 31. Brown, Newcastle-upon-Tyne.
Muddiman, Joseph, Aylebury, Buckingham, Perfumer. Jan 31. Tindal and Baynes, Aylesbury.
Pickens, Catherine, New Windsor, Berks. Dec 14. Phillips, New Windsor.
Powell, Frederick Hillman, Liverpool, Shipowner. Dec 11. Martin, Liverpool.
Ranson, John, Kingston-upon-Hull, Gent. Feb. 1. Gale and Middlemiss, Hull.
Roberts, Thomas Henry, Great Titchfield st, Portland place, Job Master. Dec 1. Dixon and Co, Bedford row.
Slater, Norman, Croston, Lancashire, Gent. Dec 15. Pattison and Co, Lombard st.
Smart, Thomas, Mare st, Hackney, Esq. Nov 30. Sheffield and Sons, Lime st.
Tite, Sir William, Lowndes square, M.P. Jan 1. Birchan and Co, Parliament st.
Wilson, Rose, Bath. Dec 15. Pattison and Co, Lombard st.
Wormald, John, Cawood, York, Merchant. Dec 21. Weddall and Parker, Selby.

Bankrupts:

FRIDAY, Nov. 13, 1874.

Under the Bankruptcy Act, 1869.

Creditors must forward their proofs of debts to the Registrar.

To Surrender in London.

Bennett, Thomas Harold, and Frederick Bennett, St George's rd, Southwark, Machinists. Pet Nov 9. Spring-Rice, Nov 26 at 12.

To Surrender in the Country.

Marten, William Haigh, Bradford, Yorkshire, Woolstapler. Pet Nov 10. Robinson, Bradford, Nov 24 at 9.

Mauder, William Dall, Tiverton, Devon, Silversmith. Pet Nov 10. Daw. Exeter, Nov 25 at 11.

TUESDAY, Nov 17, 1874.

Under the Bankruptcy Act, 1869.

Creditors must forward their proofs of debt to the Registrar.

To Surrender in London.

Clegborn, Joseph John, Carnaby st, Golden Square, Licensed Victualler. Pet Nov 14. Hazlitt, Nov 27 at 11.

Pitch, Henry Alfred, Little Tower at, Sugar Dealer. Pet Nov 13. Roche. Dec 3 at 11.

Hart, David, and George White, George st, Tower hill, Wine Merchants. Pet Nov 4. Roche. Dec 3 at 12.

Andrew, Harriett Louisa, Burlington rd, Bayswater. Pet Nov 13. Roche.
Dec 3 at 11.30
Bry, James, Union rd, Rotherhiths, Corn Merchant. Pet Nov 12.
Harritt. Dec 3 at 11

To Surgeon in the Country.
Ashton, George, and William Evans, Liverpool, Provision Merchants.
Pet Nov 14. Watson. Liverpool, Nov 30 at 2
Cass, George, Tunbridge, Kent, Builder. Pet Nov 12. Cripps. Tun-
bridge Wells, Nov 28 at 11
Jackson, George, Sunderland, Durham, Grocer. Pet Nov 11. Ellis.
Sunderland, Nov 30 at 12
Lasker, Henry, Westerham, Kent, Saddler. Pet Nov 12. Cripps.
Tunbridge Wells, Nov 28 at 11
Malcum, Alexander, Kingston-upon-Hull, Forwarding Agent. Pet Nov
12. Phillips. Kingston-upon-Hull, Nov 28 at 12
Mason, John, Mortlake, Surrey, Poulterer. Pet Nov 10. Willoughby.
Wandsworth, Dec 4 at 11
Plant, Thomas, Neath, Glamorgan, Earthenware Dealer. Pet Nov 11.
Morgan. Neath, Dec 1 at 11

BANKRUPTCIES ANNOUNCED.

FRIDAY, Nov. 15, 1874.
Fawcett, Thomas, Upper Brixton rise, Brixton. Nov 6
Harris, William, Blockley, Worcester, Linenkeeper. Nov 3

TUESDAY, Nov. 17, 1874.
Tobias, Alexander John, Liverpool, Cotton Broker. Oct 23

Liquidation by Arrangement.

FIRST MEETINGS OF CREDITORS.

FRIDAY, Nov. 13, 1874.

Allman, Samuel, Middlesbrough, York, Shoemaker. Nov 26 at 1 at
offices of Dobson, Middlesbrough
Arnold, Richard, Sander rd, Peckham, Builder. Nov 23 at 3 at offices
of Terry, King st, Chapside
Barnes, Edward Henry, Tewkesbury, Gloucester, Wine Merchant. Nov
27 at 11 at offices of Moores and Romney, Tewkesbury
Barry, William Farnett, Leeds, Dropper. Dec 1 at 3 at offices of Craven,
East parade, Leeds
Bell, Pattison, and John Bell, Bury, Lancashire, Contractors. Nov
26 at 3 at offices of Anderson, Garden st, Bury
Blacklock, David, Middlesbrough, York, Draper. Nov 28 at 12 at
the Queen's Hotel, Wellington st, Leeds. Dobson, Middlesbrough
Bowen, Richard, Shrewsbury, Salop, Licensed Victualler. Nov 28 at 11
at the George Hotel, Market st, Shrewsbury
Brawn, Henry, Wanless rd, Camberwell, out of business. Nov 23 at 3
at offices of Butten and Co, Henrietta st, Covent garden
Brown, John Eccles, Liverpool, Cashier. Nov 26 at 1 at offices of Quenich,
Dale st, Liverpool
Brown, Richard, Halifax, York, Linen Draper. Nov 27 at 11 at the
Hemette Trade Association Rooms, York st, Manchester. Wavell and
Co
Brandle, Thomas, Wrentham, Suffolk, Tailor. Nov 27 at 11 at offices
of Waits, Butter market, Ipswich
Bunker, John Lancelot Caswell, Southgate, Coach Builder. Nov 26 at 2
at 59, Chancery lane, Greatorex
Burgoyne, John, Leominster, Licensed Victualler. Nov 26 at 2 at the
Greyhound Inn, Andrews, Leominster
Chapman, Joseph, Stanhope st, Hampstead rd, Earthenware Dealer.
Nov 24 at 10.15 at offices of Rowland, Globe rd, Mile End. Hicks,
Annis rd, South Hackney
Clarkson, William Alfred, Hodnesford, Stafford, Cabinet Maker. Nov
27 at 11 at offices of Barrow, Queen st, Wolverhampton
Culler, John Henry, Wolverhampton, Stafford, Commission Agent.
Nov 23 at 1 at offices of Bill, Bridge st, Walsall
Cookman, Thomas, Torrington square, Lodging-house Keeper. Nov 19
at 3 at offices of Lind, Serle st, Lincoln's inn fields
Cordery, Arthur, Watford, Hertford, Plumber. Dec 7 at 3 at 7 King
Edward st, Newgate st. Miles
Cousens, Benjamin, Liverpool, Clothier. Dec 2 at 2 at offices of Crozier,
Commerce court, Lord st, Liverpool
Cox, James, Handcraib, Stafford, Dealer. Nov 21 at 12 at offices of
Lalor, Cherry st, Birmingham
Cox, Thomas, Leicester, Hatter. Nov 26 at 12 at offices of Fowler and
Co, Friar lane, Leicester
Crawford, Henry, Sidemoor, Worcester, Nail Maker. Nov 26 at 11 at
offices of Eaden, Bennett's hill, Birmingham
Cundick, Albert William, Warminster, Wilts, Mason. Nov 25 at 1 at
offices of Chapman and Ponting, Warminster
Day, James Henry, Birmingham, Hatter. Nov 24 at 3 at offices of
Ferry, Bennett's hill, Birmingham
Dredge, Joseph, Prospect hill, Wilts, Upholsterer. Nov 26 at 19 at
the Guildhall Coffee house, Gresham st
Evans, John, Warwick, Shoemaker. Nov 19 at 12 at the Globe Hotel,
Warwick. Sanderson, Warwick
Evans, John, Machynlleth, Montgomery, Bookbinder. Nov 26 at 12
at offices of Jones, Pier st, Aberystwith
Fowler, John, Thame, Oxford, Plumber. Nov 27 at 1 at offices of Bes-
wick, Bedford row
Freeman, Edward, Creeping All Sanits, Suffolk, Farmer. Dec 4 at 12
at the Guildhall, Bury St Edmunds. Salmon and Son
Furley, Felix, High st, Notting Hill, Draper. Nov 24 at 12 at offices
of Ladbury and Co, Chapside. Nicholls, Lincoln's inn fields
Goschold, James, Baldock, Hertford, Ironmonger. Nov 30 at 1 at
offices of Sharp, Cornhill. Halse and Co, Chapside
Greenwood, James, Canonbury square, Doctor. Nov 25 at 10 at offices
of Nicholls, Lincoln's inn fields
Hamilton, Augustus Maitland Ronald, Portsmouth, Hants, L'entenant
in H.M.'s R.N. Nov 25 at 4 at offices of Kinz, North st, Portsea
Haseldine, Charles, Bath, Bating house Keeper. Nov 25 at 11 at
offices of Wilton, Westgate buildings, Bath
Hodgen, Thomas Stephenson, Dewsbury, York, Bookseller. Nov 25
at 11 at offices of Walker, Wakefield rd, Dewsbury
Hooper, Thomas, Birmingham, Earthenware Dealer. Nov 25 at 3 at
offices of Parry, Bennett's hill, Birmingham
Howard, Harrison, Collyweston, Northampton, Innkeeper. Dec 1 at
12 at offices of Stapleton, St Paul's st, Stamford
Howlett, Alfred, Greenwich rd, Baker. Nov 24 at 3 at offices of Seard
and Son, Gracechurch st

Hughes, Benjamin, Halton, Cheshire, Stonemason. Nov 23 at 3 at
offices of Ashton and Garratt, Rancorn
Hunter, Thomas Edwards, Sheffield, Tailor. Nov 23 at 3 at offices of
Crang, Queen st, Sheffield
Jones, Hugh, Halls, Anglesey, Farmer. Nov 23 at 2 at the Victoria
Hotel, Menai Bridge. Jones, Menai Bridge
Jones, William, son, and William Jones, Jan, B'kney, Gloucester,
Woolwrights. Nov 25 at 12 at the Victoria Hotel, Newham.
Taynton and Son
Kershaw, James Frederick, Saddleworth, York, Dentist. Nov 23 at 3
at offices of Buckley and Clegg, Clagg st, Oldham
Lajollaw, William, Leeds, Draper. Nov 25 at 11 at offices of Rooke and
Midgley, Boar lane, Leeds
Latter, Thomas Philip, George James Litter, and Louis Adolphus
Latter, Portsmouth, Hants, Upholsterers. Nov 23 at 1.30 at 145,
Chapside. Ford, Portsmouth
Lowther, James, Bristol, Wine Merchant. Nov 25 at 2 at offices of
Donning and Co, Shannon court, Corn st, Bristol. Passell and Co,
Bristol
Maggs, Samuel Palmer, Clifton, Bristol, Plumber. Nov 21 at 1 at
offices of Essery, Guildhall, Broad st, Bristol
Mawbey, Alfred, Edgware rd, Sawing Machinist. Nov 25 at 3 at offices
of Davies, Moorgate st
McCarthy, Timothy Richard, Barrow-in-Furness, Ship Broker. Nov
27 at 11 at the Ship Inn, Barrow-in-Furness. Bradshaw and Pear-
son, Barrow-in-Furness
Mellows, Thomas, Northampton, Carrier. Nov 25 at 12 at offices of
Howes, Abington st, Northampton. Percival, Towcester
Nunn, Verrell, Nunhead lane, Peckham Rye, Beerhouse Keeper. Nov
28 at 2 at the Walbrook Estate Exchange, Walbrook. Hill, Mining
lane
Nuttall, Thomas, Elton, Bury, Lancashire, Stonemason. Nov 26 at 3
at offices of Grundy and Co, Union st, Bury
Nicholson, James, Bockingham, Kent, Farmer. Dec 1 at 3 at offices of
Jenkins, Tavistock st, Covent Garden
Gram, John, Bath, Somerset, Baker. Nov 27 at 11 at offices of
Simmons and Clark, M'ivers st, Bath
Ord, Robert, and James Parvis, Berwick-upon-Tweed, Tailors. Nov
25 at 2.30 at the Red Lion Hotel, Berwick-upon-Tweed. Douglas,
Berwick
Osborn, Thomas, Olney, Buckingham, Baker. Nov 26 at 3 at offices of
Bull, Olney
Owen, Francis Firth, Cwmberis, Glamorgan, Tailor. Nov 26 at 3 at
offices of Woodward, Wind st, Swansea
Parry, John, Liverpool, Builder. Nov 31 at 3 at offices of Gibson and
Beland, South John st, Liverpool. Stephenson, Liverpool
Pickens, Samuel, Hulme, Lancashire, Painter. Nov 25 at 3 at offices
of Heywood, Dickinson st, Manchester
Revis, John Charles, Sheffield, Bedford, Licensed Victualler. Nov 26 at
1 at the White Hart Hotel, Sheffield. Gosssett, Bedford
Richardson, William, Middlesbrough, York, Grocer. Nov 27 at 1 at
offices of Dobson, Middlesbrough
Roberts, Robert, and Thomas William Oliver, Oswestry, Salop, Mercers
Nov 23 at 2 at 8, York st, Manchester. Domes, Oswestry
Robinson, George, Hartsborne, Darby, Shoemaker. Nov 21 at 3.30 at
the Lamb Inn, Ashby de-la-Zouch. Smith, S'waincote
Sanders, Henry Frederick, High st, Stoke Newington, Tailor. Nov 21
at 12 at offices of Morphet, Moorgate st. Earle, Charles square,
Hoxton
Sayers, William, Great, nr Birmingham, Needle Maker. Nov 23 at 3
at offices of Simmons, Evesham st, Redditch
Smith, William, Jun, Nottingham, Commission Agent. Nov 26 at 11
at offices of Black, Low pavement, Nottingham
Snow, Benjamin, Great Waltham, Essex, Farmer. Nov 27 at 1 at the
White Hart Inn, Chelmsford. Duffield and Bruty
Soper, James, Landport, Hants, Steward R.N. Dec 5 at 11 at offices
of Waincot, Union st, Portsea. Walker, Landport
Sylvester, William Thomas Mainwaring, Castleford, York, Rector.
Nov 24 at 11 at the Bull Hotel, Westgate, Wakefield. Carter,
Pontefract
Thomas, David, Llanedey, Carmarthen, Innkeeper. Nov 26 at 3 at the
Cross Inn, Llanedey. Bishop, Llandilo
Thompson, James, Speel Bank, near Haverthwaite, Lancashire, Turf
Dealer. Nov 24 at 2 at the Temperance Hall, Ulverston. Poole,
Ulverston
Tune, William, Mistoron, Nottingham, Innkeeper. Nov 23 at 11 at
offices of Bieldon, Market place, Gainsborough
Ward, William, Danby End, York, Commission Agent. Dec 2 at 1 at
offices of Monkhouse and Co, St Nicholas buildings, Newcastle-upon-
Tyne. Thornton, Whitby
Webb, Robert, Crowborough, Sussex, Farmer. Nov 26 at 1 at offices
of Savery, Trinity st, Hastings
Wells, William, Worcester, Grocer's Assistant. Nov 23 at 3 at offices
of Tree, Sansome st, Worcester
Whalley, Margaret, Seinton, Nottingham, Draper. Nov 25 at 12 at
offices of Acton, Victoria st, Nottingham
Wright, John, and Henry Wright, Old st, Shoreditch, Cabinet Makers.
Nov 26 at 11 at offices of Blake and Snow, College hill, Cannon st
Wright, William, Leeds, Warehouseman. Nov 24 at 3 at offices of
North and Sons, East parade, Leeds
Young, Alfred, Leeds, Glass Manufacturer. Nov 25 at 2 at offices of
Harie, South parade, Leeds

TUESDAY, Nov. 17, 1874.

Angell, James Walter, Bath, Tailor. Nov 30 at 12 at offices of
Ricketts, Paragon, Bath
Armstrong, John, Manchester, Tailor. Dec 1 at 3 at offices of Smith
and Boyer, Brasenose st, Manchester
Baggs, William, Fexfield green, Southampton, Blacksmith. Dec 2 at
3 at offices of Harvey and Addison, the Square Petersfield, Hants
Bagshaw, John James, Sheffield, Steel Manufacturer. Nov 27 at 11
at the Albert Music Hall, Bury's Pool, Sheffield. Wake
Barber, William, son, (Shefford, Bedford, Saddler. Nov 30 at 11 at
offices of Hooper and Raynes, Briggleswade
Barker, Joseph, Birkenhead, Cheshire, Yeast Dealer. Nov 27 at 2 at
offices of Downham, Market st, Birkenhead
Barrow, John, Charlton Kings, Provision Dealer. Nov 30 at 3 at offices
of Boodle, Bedford buildings, Cheltenham

- Bennett, John, Cheltenham, Gloucester, Registrar of Births and Deaths. Dec 1 at 11 at offices of Chesahyre, Regent st, Cheltenham
- Best, Thomas Walsh, Bolton, Lancashire, Brush Manufacturer. Dec 13 at 3 at the Palace Hotel, Market-place, Manchester. Dawson, Bolton
- Bland, George, Widdhill, York, Worsted Spinner. Nov 28 at 10 at offices of Wood and Killick, Commercial Bank buildings, Bradford
- Booth, George Edmund, Oldham, Balider. Nov 30 at 3 at offices of Murray and Wicker, Clegg st, Oldham
- Booth, Walter, Surbiton, Surrey, Corn Merchant. Nov 30 at 2 at the Southampton Hotel, Surbiton. Donithorne
- Bradbury, Charles Wright, Weakey, York, Saddler. Dec 2 at 3.30 at the Hare and Hounds Inn, Upper Mill, Saddleworth. Toy and Broadbent
- Bryan, Edwin, Hill Farm, Coldashton, Gloucester, Farmer. Nov 28 at 11 at 3, Milca's buildings, Bath. Gill and Bush
- Clark, Richard, Briggs, Lincoln, Butcher. Dec 3 at 1 at 61, Wrawby st, Briggs. Robbs
- Cobb, John, Twickenham, Middlesex, Gardener. Dec 9 at 2 at offices of Haynes, Deneux court, Temple
- Cobley, William Gempson, Kingston-upon-Hall. Nov 23 at 3 at office of Summers, Manor st, Hull
- Cocking, John Tonkin, and Stephen Michell, Penzance, Cornwall, Hat Manufacturer. Nov 30 at 3 at offices of Rodd and Cornish, Parade st, Penzance
- Coe, Benjamin Albert, Ecclehill, York, Manufacturer. Nov 28 at 10 at offices of Neill, Union passage, Bradford
- Cohen, Jacob Harnan, Brighton, Sussex, Schoolmaster. Dec 7 at 3 at offices of Howell, Chesapeake
- Conry, Lewis, Old Kent rd, Surrey, Baker. Nov 25 at 4 at offices of Bsey and Grey, King st, Chesham. Lay, Poultry
- Crosley, William, Darrington, York, Innkeeper. Nov 28 at 3 at the Red Lion Hotel, Pontefract. Stocks and Nettleton, Wakefield
- Crutch, Lewis, Newport, Monmouth, General Dealer. Nov 30 at 11 at offices of Gibbs, Commercial st, Newport
- Darves, John, Raddington, Nottingham, Plumber. Dec 2 at 12 at offices of Parsons, Eldon chambers, Whisler gate, Nottingham
- Darves, John, Fetterley, Glamorgan, Draper. Nov 28 at 2 at offices of Alexander Brothers, St Mary st, Cardiff. Thomas
- Deane, Patrick, Kingston-upon-Hull, Merchant. Nov 30 at 12 at offices of Roberts and Leak, Bowalley lane, Kingston-upon-Hull
- Downing, William, Leeds, French Polisher. Nov 30 at 2 at offices of Simpson and Burrell, Albion st, Leeds
- Edwards, Thomas, jun, Glenarm rd, Lower Clapton, Attorney. Nov 30 at 2 at offices of Irwin and Cook, Gray's inn square
- Elliott, Henry Charles, Thanet place, Strand, Solicitor. Nov 24 at 3 at offices of Chidley, Old Jewry
- Elliott, James, Winton, Durham, Brewer. Nov 28 at 11 at offices of Hooper, Grainger st, Newcastle-upon-Tyne
- Fletcher, William, Ipswich, Suffolk, Grocer. Dec 4 at 12 at offices of Pollard, St Lawrence st, Ipswich
- Francis, Charles, Erast, Manchester, Chemist. Nov 30 at 3 at offices of Eideal and Shaw, Brazennose st, Manchester
- Frederking, George Henry Richard, Prospect place, Kilburn, Commission Merchant. Nov 26 at 11 at offices of Head, Eastcheap
- Gadd, Isaac Montgomery, Midland Hotel, Euston rd, Gent. Nov 26 at 12 at offices of Grayson, Hunter st, Brunswick square
- Garland, Augustus Henry, Chesham, Oxford, Gent. Dec 8 at 3 at offices of Chappell and Son, Golden square
- Gibbs, Alfred, Luton, Bedford, Druggist. Dec 3 at 10.30 at offices of Nerve, Park st, Luton
- Glass, Josiah Edward, and Thomas Allan Glaspe, Rufford's row, Upper st, Islington, Gasfitters. Dec 2 at 2 at offices of Banes, Basinghall st
- Mason, North buildings, Finsbury
- Goode, Samuel William, Birmingham, Jeweller. Dec 1 at 12 at offices of Griffin, Bennett's hill, Birmingham
- Goodhall, Benjamin, Apperley bridge, York, Contractor. Nov 27 at 3 at offices of Mossman and Hale, Horton rd, Bradford
- Griffith, Rees Morris, Bridlington, York, Dealer in Oils. Nov 30 at 3 at the Black Lion Hotel, Bridlington. Cooper, Bridlington
- Hack, Henry, and William Graham, Arayil st, Regent st, Tailors. Nov 26 at 3 at 19, Arayil st. Stedman, Coleman st
- Hammert, James, Altrincham, Cheshire, Plasterer. Nov 30 at 3 at offices of Edwards and Bincliff, Brazennose st, Manchester
- Raigh, Henry, Leas, Cloth Merchant. Dec 1 at 3 at offices of Carr, Albion st, Leeds
- Haneock, David, East Greenwich, Kent, Foreman. Nov 27 at 12 at offices of Geassent, New Broad st
- Hemstead, Mark, Thames st, Greenwich, General Dealer. Nov 27 at 3 at offices of Scard and Son, Gracechurch st
- Haseelwood, John, Strenall, York, Grocer. Nov 30 at 12 at offices of Mann and Son, New st, York
- Hiscoe, Ernest Leonard, Sunderland, Durham, Draper. Nov 30 at 12 at offices of Hall, Villiers st, Sunderland
- Hodgson, John, Birmingham, Glass Manufacturer. Nov 27 at 12 at offices of Southall and Co, Newhall st, Birmingham
- Horne, Richard, York, out of business. Nov 28 at 12 at offices of James, Lendal. York
- Bowen, William, Chelmsford, Suffolk, Tailor. Dec 7 at 3 at offices of Hill, St Nicholas st, Ipswich
- Hughes, John, Bradford, York, Wool Merchant. Nov 30 at 3 at offices of Kennell, Tyndal st, Bradford
- Hughes, Hugh, Ashfield, near Liverpool, Builder. Dec 1 at 3 at offices of Gibson and Bolland, South John st, Liverpool. Whitley and Maddock, Liverpool
- Jackson, Daniel, Burntmoor, Leeds, Cloth Manufacturer. Nov 26 at 3 at offices of North and Sons, East parade, Leeds
- Jackson, Thomas, Bradford, York, Agent. Nov 24 at 3 at the Great Northern Railway Station Hotel, Leeds. Rhodes, Halifax
- Jeffs, Caroline, Willenhall, Stafford, Grocer. Nov 25 at 11 at offices of Barrow, Queen st, Wolverhampton
- Scree, Henry William, Wandsworth rd, Dairyman. Dec 7 at 2 at office of Howe, Staple inn, Holborn. Morris, Staple inn
- Joyce, John, Bartholomew rd, Kenilworth, Jeweller. Nov 30 at 3 at offices of Christman, Walbrook
- Kelly, Patrick Joseph, Salford, Lancashire, Boot Dealer. Nov 26 at 3 at offices of Fox, Princess st, Manchester
- Kerman, Charles, Penarth, Engineer. Nov 27 at 12 at offices of Griffiths and Corbett, Quay st, Cardiff
- King, James, and Edward Henry Foulkes, Liverpool, Provision Merchants. Dec 9 at 3 at offices of Roose and Prior, North John Liverpool. Yates and Co, Liverpool
- Kipping, Robert, Newcastle-upon-Tyne, Sailmaker. Nov 30 at 11 at 18, Northumberland court, Newcastle-upon-Tyne
- Lacy, Robert, Middlesbrough, York, Grocer. Nov 28 at 11 at Barkers Temperance Hotel, Bridge st West, Middlesbrough
- Land, John, Litchurch, Derby, Silk Agent. Nov 30 at 11 at offices of Leach, Derby
- Lawaon, William, Luton, Bedford, Dealer. Dec 3 at 2 at offices of New Park at West, Luton
- Locker, Joseph, Blackburn, Lancashire, Boot Maker. Nov 27 at 12 at offices of Marriott, Preston New rd, Blackburn
- London, John, Gateshead, Durham, Tailor. Nov 27 at 2 at offices of Joel, Newgate st, Newcastle-upon-Tyne
- Maddison, James, South Stockton, York, Grocer. Nov 27 at 11 at offices of Fawcett and Co, Finkle st, Stockton-on-Tees
- Maillard, Pierre David, Colchester terrace, Richmond rd, West Bromington, Dairyman. Nov 29 at 11 at offices of Roberts, Coleman st
- McEwen, Alexander, George yard, Lombard st, Financial Agent. Dec 10 at 3 at offices of Lewis and Co, Old Jewry
- Myatt, Joseph, Abergavenny, Monmouth, Innkeeper. Nov 30 at 2 at offices of Jones, Frogmore st, Abergavenny
- O'kell, Alfred, Birmingham, Bedding and Tick Merchant. Dec 3 at 1 at offices of Rowlands, Ann st, Birmingham
- Orbust, Henry William, Fleet st, Editor. Dec 3 at 3 at offices of Gold and Son, Serjants' inn, Chancery lane
- Ord, William Smith, Norton, Durham, Carver. Nov 27 at 3 at offices of Dodds and Co, Stockton-on-Tees
- Parton, John, Chatham, Kent, Grocer. Nov 30 at 12 at offices of Hayward, High st, Rochester
- Pe'l, Jonathan, Aberystwith, Cardigan, Hotel Keeper. Nov 27 at 11 at offices of Hughes and Son, North parade, Aberystwith
- Phillips, Thomas Henry, Featherstone buildings, Holborn, Gas Engineer. Dec 9 at 3 at offices of Cooper, Charing Cross
- Pink, William, Adelphi court, Old Broad st, Wine Merchant. Dec 8 at 2 at the Mason's Hall Tavern, Masons' avenue, Coleman st. Mann, North buildings, Finsbury
- Priest, Charles, Sheffield, Blacksmith. Nov 26 at 3 at offices of Chambers and Son, Bank st, Sheffield
- Richardson, George, Leicester, Boot Factor. Dec 3 at 12 at offices of Harvey, Pocklington's walk, Leicester
- Robinson, Charles, Little Britain, Store st, Bedford square, Cabman. Dec 7 at 3 at offices of Holloway, Ball's Pond rd, Islington. Fenton, Albion terrace, Kingsland
- Rolin, John White, Durham, Watch Dealer. Dec 9 at 3 at the Neville Hotel, North rd, Durham. Brignall, jun, Durham
- Shepherd, Edwin, Birmingham, Venetian Blind Manufacturer. Dec 1 at 3 at offices of Rowlands, Ann st, Birmingham
- Sheppard, Thomas, Lower George st, Sloane square, Chelsea, Grocer. Dec 1 at 3 at offices of Watson, Guildhall yard
- Silby, James Ferry, Liverpool, Agricultural Engineer. Dec 1 at 3 at offices of Gibson and Bolland, South John st, Liverpool
- Smith, George Cornelius, Daks st, Lincoln's inn fields. Nov 30 at 3 at offices of Rogers, Essex st, Strand
- Smith, Henry, Wollaton, Worcester, out of business. Nov 30 at 10 at offices of Prescott, High st, Sturbridge
- Sparkes, William, Trench Marsh Farm, Colyton, Devon, Yeoman. Nov 30 at 3 at the George Hotel, Chard. Paul, Iminster
- Speight, John, Bradford, York, Iron Plate Worker. Nov 28 at 10 at offices of Terry and Robinson, Market st, Bradford
- Spencer, Isaac, Great Horton, Bradford, York, Staff Merchant. Nov 30 at 11 at offices of Rhodes, Duke st, Bradford
- Spragg, Walter William, Tredington, Worcester, Gardener. Nov 25 at 3 at offices of Billings, Regent st, Cheltenham
- Statham, Richard, Belter, Derby, Boot Maker. Nov 30 at 3 at offices of B.iggers, Full st, Derby
- Stephenson, Robert, Scotland Gate, Northumbria, Land, Boot Maker. Nov 27 at 11 at the County Court, Westgate rd, Newcastle-upon-Tyne
- Nicholson, Morpeth
- Stringer, David, Annette rd, Holloway, Provision Dealer. Nov 30 at 11 at offices of Holloway, Ball's Pond rd, Fenton, Albion terrace, Kingsland
- Taylor, William, Mortlake, Surrey, Grocer. Dec 1 at 2 at offices of Catlin, Guildhall yard
- Taylor, William, City rd, Olman, Nov 25 at 3 at offices of Holmes, Fenchurch st
- Timannu s, Charles Erdmann Frederick, St John st, Clerkenwell, Goldsmith. Dec 4 at 3 at offices of Evans and Eagles, John st, Bedford row
- Tostevin, William, Penge, Builder. Nov 30 at 12 at offices of Rogers, Mark lane
- Tresidder, Thomas Richard, Penzance, Cornwall, Tailor. Nov 29 at 3 at offices of Rodd and Cornish, Parade st, Penzance
- Wakefield, Elton Blanche Granville, Brompton square. Dec 2 at 1 at offices of Dubois, Gresham buildings, Basinghall st. Lay, Chancery lane
- Walker, John, Sheffield, Draper. Dec 1 at 12 at the Cutlers' Hall, Church st, Tattershall
- Waters, Alfred Henry, Bingley, at, Caledonian rd, Grocer. Dec 9 at 3 at offices of Holloway, Ball's Pond rd, Islington. Fenton, Albion terrace
- Watson, James, Nottingham, Tailor. Dec 3 at 12 at offices of Brittle, St Peter's gate, Nottingham
- Watts, Henry Frederick, Lower Queen st, Rotherhithe, Baker. Nov 25 at 3 at offices of Chipperfield and Sturt, Trinity st, Southwark
- Weale, William Edward, Birmingham, Coal Merchant. Nov 26 at 12 at offices of Paliows, Cherry st, Birmingham
- Webster, John William, Bristol, out of business. Nov 24 at 3 at offices of Hobbs and Snnott, Broad st, Bristol
- Wenman, Thomas, Goswell rd, St Luke's, Chesham, Nov 26 at 3 at offices of Brown, Goswell rd
- Wheatley, Edward Grey, Romford, Essex, Boot Maker. Dec 2 at 3 at offices of Wood and Hare, Basinghall st
- Whitehouse, Henry Wright, Fenchurch st, St Paneras, Grocer. Nov 30 at 1 at offices of Johnson, High st, Marylebone